

Board Packet

4.18.24 Board Meeting

Community Library Network
AMENDED Board of Trustees Regular Meeting Minutes
Thursday, March 21, 2024
Hayden Library

2:00pm – 5:45pm

We Empower Discovery

Agenda

Call to Order Meeting was called to order at 2:00 pm

Roll Call Trustees: Katie Blank, Tom Hanley, Rachele Ottosen, Tim Plass,
Vanessa Robinson
Treasurer: Julie Saad (arrived at 3:45 pm and left at 3:53 pm)
Staff: Alexa Eccles, Lindsey Miller-Escarfuller, Michelle Fansler
General Counsel: Colton Boyles

Pledge of Allegiance

- There was a proposal to amend the agenda by removing the reference to April 29, 2020, concerning the Covid policy. Concerns were raised about the clarity and availability of the policy. The motion was withdrawn due to the lack of a clear Covid policy and insufficient notice for discussion. A suggestion was made to discuss the facilities topic after the director's report for a comprehensive update, also withdrawn. No decision or action was taken.

Public Comment (*30 minutes*)

Speakers must state name and community and speak for no more than 3 minutes. Persons addressing the Board are expected to observe a level of civility and decorum appropriate for a public meeting. No personal attacks or disruptions from audience members will be tolerated.

- Michelle Lippert, Post Falls – reflected on the potential impact of books like "Identical" on students who have experienced trauma, emphasizing the importance of considering the life-saving potential of literature before advocating for its removal from libraries.
- Josiah Mannion, Hayden – raised concerns about the proposal on the agenda to remove Juneteenth as a recognized holiday for CLN staff by the library board, asserting that this decision reflects underlying racism and a lack of respect for Black freedom and lives.
- Jeanette Laster, Coeur d'Alene – concerned about both employee safety in the workplace, particularly regarding OSHA standards and potential bullying and harassment, and the importance of recognizing Juneteenth as a federally and state-recognized holiday for library staff.
- Tamara Sincs-Kermelis, Hayden - expressed concerns about free speech, the removal of certain holidays like Juneteenth, the exclusion of the Rainbow Squad from the library, and potential biases in the library board's material selection that may exclude books related to racism and LGBTQ+ characters.
- Theresa Birkett, Post Falls – addressed the library board's revision of the material selection policy without considering intellectual freedom, the removal of Juneteenth from the holiday schedule, and

the board's failure to adhere to the current public comment policy, emphasizing the board's responsibility to serve the public transparently and democratically.

- Charles Coats, Post Falls – appreciated the library board for not raising taxes during the last budget cycle, providing the staff with a long-awaited raise, and addressing the material selection policy, which led to the turnover of the board the previous year.
- Pat Raffee, Post Falls – commended trustees Vanessa Robinson and Katie Blank for their commitment to service, transparency, and good governance, while also expressing gratitude towards the staff and director for their professionalism and the community's support for repairing the libraries.

Consent Agenda: Action Item *(5 minutes)*

Minutes of the Regular meeting of February 15, 2024

CIN January 17, 2024 minutes

CIN February 2024 financial statements

- Robinson brought up a potential violation of open meeting law during the March 6th meeting and the proper procedure to address and possibly cure this violation, with a disagreement arising about whether it is appropriate to discuss this issue during the consent agenda. Robinson wanted to address the board reports which have become shorter and less detailed, expressing concern that they are no longer regularly included in the agenda. Moved to end of meeting to be added to future agenda.
- Ottosen brought up the minutes as being too long. Discussion ensued among the board members regarding the format and content of the meeting minutes, with some trustees advocating for a more concise and action-focused approach, while others argued for including more detailed commentary and discussions. Moved to end of meeting to be added to future agenda.
- Blank moved to accept the consent agenda. Plass made a friendly amendment to accept the consent agenda minus the minutes of the regular meeting of February 15th, 2024.

M, C – Blank – roll call vote requested

Blank – nay

Hanley – aye

Ottosen – aye

Plass – aye

Robinson - abstain

Community Library Network February 2024 financial statements: Action item *(5 minutes)*

- Board discussion focused on understanding the state's reimbursement for Internet access, E-Rate discounts, and budget allocations. Hanley moved to accept the February 2024 financial statements.

M, C – Hanley

Discussion of Community Library Network February 2024 carryforward balance analysis *(5 minutes)*

- Eccles shared the Community Library Network's February 2024 carry forward balance is \$1.3 million, or as the auditor calls it, fund balance, exceeding the best practice amount by \$500,000, primarily due to state funds, as highlighted during the discussion. Discussion. No action.

Circulation Statistics: February 2024 *(5 minutes)*

- Robinson pointed out the report indicates 51 new minor cards, with 50% being for limited kids cards. Blank noted there's a significant drop in circulation due to Post Falls and Athol closures. Eccles mentioned the statistics reflect both new patrons and updated cards, and for a clearer trend, it's advisable to assess the data on a quarterly or annual basis rather than monthly. Discussion. No action.

Director's Report (15 minutes)

- Eccles read her report to the board. She attended the Public Library Directors Summit in Boise, highlighted by a presentation on civic engagement and the role of libraries; discussed the impact of House Bill 710 on library materials; provided a quote from McGrath Human Resources Group for updating job descriptions at a cost of \$195 per description, starting with a minimum of five job descriptions at \$1,000, or completing all 30 job descriptions at a cost of \$5,850; mentioned the upcoming annual audit presentation on May 16th. Plass asked for a paper copy of all 30 current job descriptions. Eccles clarified that CLN currently lacks an HR specialist or HR manager, and it is not the jurisdiction of this board to be rearranging jobs. Discussion. No action.

Discussion of Materials Selection and Acquisition Policy: Action item (15 minutes) and
Withdrawal and Reconsideration Policy: Action item (10 minutes)

- Hanley presented a hybrid version of the material selection policy, combining elements from both the staff and board drafts, suggesting two policies: one for material selection, acquisition, and withdrawal, and an updated library card for minors policy. Ottosen moved to postpone materials discussion until next month.

M, C – Ottosen; Plass opposed

Break (15 minutes)

Discussion on Personnel Policy 5.3.6 Holidays: Action Item (15 minutes)

- Ottosen presented a revised holiday schedule recommendation to the board for personnel policy 5.3.6 Holidays. Trustees debated changes including renaming Presidents Day to Washington's Birthday, adding an additional day off for Thanksgiving, and removing Juneteenth as a recognized holiday. Concerns were raised about the implications of these changes. After extensive debate, Plass moved to accept the policy as written, except keep Presidents Day. Ottosen made a motion to suspend the rules and brought it to a vote. There was confusion and disagreement regarding the legality and the specifics of the motion. Blank raised a point of order that limiting debate and passing the motion are separate actions and requested a roll call vote.

M, C – Plass / Ottosen - We will have a roll call vote on the motion to suspend the rules, so we stop debate and vote on adopting the personnel policy manual as amended by 3:56 pm.

Blank - nay

Hanley – aye

Ottosen – aye

Plass – aye

Robinson – nay

Discussion of Covid Policy & April 29, 2020 Director's authorization for unilateral covid action:
Action item (15 minutes)

- Boyles read the dates that Covid was mentioned in CLN minutes. Ottosen will email the Covid Policy to the board. Ottosen moved to postpone discussion until next month.

M, C – Ottosen; Blank and Robinson opposed

Discussion on assignment and delivery of legal reports – Chair Ottosen: Action item (10 minutes)

- Discussion centered on the assignment and delivery of legal reports, with concerns raised about the potential increase in legal costs and the process by which legal reports are requested. Ottosen proposed the director get majority consensus from the board before utilizing counsel. Eccles asked for the board not to remove Legal Report from the agenda after the Director Report like it was this time. Boyles advised caution against restricting the director's ability to consult with legal counsel and suggested a more collaborative approach between the board and the library director. Discussion. No action.

Discussion on Internet Use Safety Policy: Action items (10 minutes)

- Eccles asked if the board wants a committee, staff or legal counsel to review the policy and suggested agendas reflect old business and new business. Robinson suggested having a calendar of when to review each policy on a three-year cycle. The board discussed the review of the Internet safety policy, which is mandated to be reviewed every three years, and debated the urgency and methodology for updating the policy, considering legal requirements, potential changes in laws, and the importance of timely compliance due to federal funding conditions. Discussion. No action.

Periodic acquisition report – CLN January and February 2024: Action Item (10 minutes)

- Hanley would like to have Overdrive dropped from the periodic acquisition report and focus on physical materials. Hanley passed out a sample report showing what he would like to include in the periodic acquisition report. Eccles went over the periodic acquisition report she provided the board with current Koha capabilities. Hanley and Ottosen are in favor of having Koha create a custom report with what the board wants included. Plass wants to know if this report can be exported into Excel. Eccles suggested the board review the current report to see if it meets their business needs. Consensus reached to have the director get a quote from Koha to create a custom report, not purchasing anything. Discussion was postponed to next month.

Athol and Post Falls Facilities update: Action item (10 minutes)

- Eccles presented a report on the January freeze's impact on Athol and Post Falls libraries, detailing costs, assurance of no staff layoffs for those working 19-40 hours weekly and plans to maintain services via the bookmobile during demolition and construction, anticipated to start in May. Post Falls will reopen after demolition, providing modified service in the lobby at that time. CLN bought 6,000 boxes for 63,000 items to be moved. Concerns were voiced about time limitations and the need for clearer financial details, especially regarding potential book replacement cost overruns. No action taken.

Trustee Education (5 minutes)

- Boyles passed out two documents. Lindke v. Freed No. 22-611 Argued October 31, 2023. Decided March 15, 2024. Second document titled "Public officials can be held liable for blocking critics on social media." The presentation focused on the legal implications for public officials regarding their use of social media emphasizing the increased liability for officials who fail to clearly separate personal and official communications on platforms like Facebook.

Discussion of Public Comment Policy, public etiquette, and signs: Action item (15 minutes)

- Robinson went over her changes in red and wants Public Comment to stay on the agenda. Hanley suggested changing the section regarding the board responding to public comments from "will" to "may" and addressed orally or in writing. He also suggested adding the word "Conduct" to the title. Boyles suggested the board addresses public comments the following month if they choose, not a back and forth during the public comment. Board consensus to change the second sentence "will" to "may."

Robinson moved to extend the meeting for fifteen minutes.
M, C – Robinson

Discussion of future agenda requests (The board will decide via consensus whether these items will be moved to a future agenda) (5 minutes)

- Board agreed to bring the hybrid materials policy Hanley provided next month.
- Blank wanted to add a discussion on open meeting law. Robinson approved. Hanley, Ottosen, Plass opposed.
- Robinson wanted to have how a special meeting is called and how to set up an agenda for efficiency. Blank, Hanley, Robinson approved; Plass and Ottosen opposed.
- Plass wanted to bring back discussion on legal opinion presentation format – written summary as opposed to publicly reading it to the board.
- Plass wanted to address what we are going to do about the Strategic Plan for about 10 minutes. Ottosen, Plass approved. Blank, Hanley, Robinson opposed.
- Eccles wanted ICRMP decision added. Blank, Robinson, Plass approved. Hanley asked if it could be discussed in executive session. Boyles needs to look into that.
- Eccles asked if the board wants to address how minutes are taken. Unanimous approval.
- Ottosen wanted to clarify the budget should be balanced before it comes to the board. Blank stated it is the board's job to balance the budget.

Plass moved to extend the meeting by five minutes.
M, C - Plass

Set Special and regular meeting dates: Action item (5 minutes)

Blank asked for a special meeting to discuss open meeting laws with the attorney present. Robinson agreed. Blank asked for a meeting one week from today from 2-4 pm. No majority consensus. Ottosen said two members can approach the director to schedule a special meeting according to CLN bylaws Article III section 4.

Blank asked the minutes to include a Letter from Regina McCrea to the board and Blank's request for a special meeting to the board chair.

Adjournment: Action item at 5:53 pm
Hanley moved to adjourn.
M, C - Hanley

Calendar of events:

21 Mar 2024	Regular Meeting	2:00 – 5:30	Hayden
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Please let us know if you need auxiliary aids or services to enjoy our libraries. This includes providing a sign language interpreter, assistive listening devices, or print materials in a digital format. We can also modify programs, services, or activities, within reasonable limits. Please request these services through Randy Zepeda, ADA Coordinator, preferably 15 days in advance, but no later than 72 hours before the event. Phone: 208-773-1506 ext. 329 Email: ADAcoordinator@communitylibrary.net

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DRAFT

Significant Agenda Concerns

Katie Blank <katieb@communitylibrary.net>

Sun 3/17/2024 2:51 PM

To:Rachelle Ottosen <rachelleo@communitylibrary.net>

Cc:Vanessa Robinson <vanessar@communitylibrary.net>;Tom Hanley <tomh@communitylibrary.net>;Tim Plass <timp@communitylibrary.net>;Alexa Eccles <alexae@communitylibrary.net>;Colton Boyles <colton@cboyleslaw.com>

Rachelle,

I am becoming increasingly concerned about the meeting agendas. More and more it is becoming apparent that the Board Agenda is not a cooperative effort between the Director and the Board. Over and over, I am finding agenda items added and I, as a Board member, have no idea why they were added or what they are about. When I ask the Director for clarification and some background information, it turns out she does not even know the answers. It is occurring to me that you, as Board chair, may be maintaining a stranglehold on the Board agenda.

This agenda has twenty-one items on it; I think that might be more than any other CLN Board agenda has ever had. With so many items to be considered, it is impossible to provide a clear focus for this meeting. There is no way anything useful can be accomplished with such a scattered and disorganized approach to running a library district.

I am shocked that two very important topics that should be on this agenda are either given very little time or do not appear at all.

The first is the "Athol and Post Falls Facilities update." This topic should be right after the Director's Report and given at least 30 minutes. It is probably the most important issue facing the library district at this time. Board members were practically screaming at the Director at the last meeting for not giving them enough information. But how can the Director give information if no time is given for the report?

The second is an update on insurance. Why is this not on the 3/21 agenda? On February 21 the Director sent a letter to our attorney requesting legal clarification on insurance policies given to us by Redman Insurance. Given that the Board majority insists that we will still be working with Redman Insurance, many of those questions are still very pertinent. The Board very clearly indicated at the last meeting that this issue is an important and ongoing one.

In addition, there are several items on the agenda that need clarification and background information for Board members:

#12 Discussion on Personnel Policy – Holidays

Who decided to put this on the agenda? I have not heard any requests from Board members, staff, or the public. What is this about?

Why was this put on the agenda?

Please provide some background information before the meeting on 3/21.

#13 Discussion on Covid Policy

Who decided to put this on the agenda? I have not heard any requests from Board members, staff, or the public. What is this about?

Why was this put on the agenda?

Please provide some background information before the meeting on 3/21.

#14 Discussion on assignment and delivery of legal reports

Since this has "Chair Ottosen" after it I can only assume that you put this on the agenda yourself. Is this another opportunity that you are taking to express your

personal views during a public Board meeting? Again: Why is this on the agenda. What is this about? Please provide background information before the meeting on

3/21.

#15 Discussion on Internet Use Safety Policy

Who decided to put this on the agenda? I have not heard any requests from Board members, staff, or the public. What is this about?

Why was this put on the

agenda? Please provide some background information before the meeting on 3/21.

#19 Discussion of Public Comment Policy

I do know who requested this to be on the agenda, and I also thought I knew why. It was another Board member who had a specific question about signs in the audience

blocking people's vision. Now, without warning, without any requests or discussion by the Board as a whole, the Public Comment Policy has been completely redrafted.

Who decided this redraft should be done? Who wrote the redraft? Was the Director involved? Where did the language come from? Were references used for this redraft?

If so, which ones? I am not an attorney, but this is another policy draft that looks very much like it may have some serious "constitutional deficiencies."

I am quite serious when I say that I am requesting background information on all these agenda topics. Since the Director does not know the answers to my questions I am asking you for those answers. And, since absolutely all of these items are labeled "action item," I need that information in order to make the best decisions I can for our community.

Katie

Recent meeting agendas

Regina McCrea <rmccrea@omllaw.com>

Mon 3/18/2024 7:31 AM

To:Rachelle Ottosen <rachelleo@communitylibrary.net>;Tom Hanley <tomh@communitylibrary.net>;Tim Plass <timp@communitylibrary.net>;Vanessa Robinson <vanessar@communitylibrary.net>;Katie Blank <katieb@communitylibrary.net>
Cc:Alexa Eccles <alexae@communitylibrary.net>;Colton Boyles <colton@cboyleslaw.com>

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CLN Board of Trustees,

Although you indicate to the public that items will only be added to future public meeting agendas *via consensus*, it seems rather obvious that, recently, you have resorted to acting in secret and have begun putting items on agendas **without ever talking about them before at any meeting.**

Every single item (10 in total) on the agenda for the March 6, 2024 Special Meeting appeared out of thin air and, similarly, the March 21, 2024 agenda contains several never before seen topics. For example, this board has not openly considered adding "Discussion on Covid Policy & April 29, 2020 Director's authorization for unilateral covid action" to a future agenda. Had the Board *actually* done so, then the newest board members would've been made aware that the April 29, 2020 authorization has already been modified. The board modified the director's authority by motion as recorded in minutes of June 18, 2020 and October 14, 2021. You cannot deliberate a topic with blinders on and ignore subsequent actions of the board which have superseded the April 29, 2020 policy, thereby making it obsolete.

Of greater concern, however, is the inescapable conclusion that some members of the board have flagrantly violated Idaho's open meeting laws. Idaho law is clear that a "meeting" can encompass informal sessions or conferences of board members in which public business is discussed. Informal conferences between board members "permits crystallization of secret decisions to a point just short of ceremonial acceptance. There is rarely any purpose to a non-public pre-meeting conference except to conduct some part of the decisional process behind closed doors." There must be collective discussion in preliminary stages "as well as the ultimate step of official action;" otherwise, the purpose of open meeting laws has been evaded. Idaho Open Meeting Law Manual at 7. Smaller meetings (i.e., where less than a quorum is present) are similarly prohibited. *Id.* at 8.

Returning then to the March 6, 2024 meeting, there can be but one conclusion—Trustees Hanley and Plass decided amongst themselves what they wanted to have happen and then brought in Board Chair Ottosen to carry out their directives by issuing notice and an agenda for a special meeting. This maneuvering is illegal. The proper course that a public agency must follow is to discuss agenda topics **in an open meeting**. The Library Director (in consultation with the Chair) then establishes an agenda by including those items that have been

approved *by consensus* (or majority consent and, in the event only two board members agree, then the issue can be addressed at a special meeting).

It would significantly aid CLN if you could engage in a discussion with your legal counsel regarding the contents of this email, rectify any breaches of law, and undergo further training concerning compliance with open meeting regulations.

Regards,
Regina

Regina M. McCrea
Attorney at Law



6500 N. Mineral Drive, Suite 103
Coeur d'Alene, ID 83815
Phone: 208-762-0203
Fax: 208-719-8083

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Community Library Network
SPECIAL Board of Trustees Meeting Minutes
Wednesday March 6, 2024
Hayden Library

2:00pm – 4:15pm

We Empower Discovery

Agenda

Call to Order Meeting was called to order at 2:00 pm

Roll Call Trustees: Katie Blank, Tom Hanley, Rachelle Ottosen, Tim Plass
Vanessa Robinson (absent)
Treasurer: Julie Saad (absent)
Staff: Alexa Eccles, Lindsey Miller-Escarfuller, Michelle Fansler
General Counsel: Colton Boyles

Discussion on Insurance Adjuster Reports and Pending Claims Status: Action item *(10 minutes)*

- Hanley raised concerns about the progress with the insurance adjuster. Eccles then shared an email received by the board indicating a preliminary estimate of \$1 million per building from the ICRMP adjuster, based on information from MKK. Plass asked what the insurance adjuster expects the cost to be for each library. Eccles replied the district has not received invoices from Belfor or construction quotes yet. Eccles provided rough estimates of costs for Post Falls and Athol libraries, mentioning that there was no business interruption coverage. The estimated costs included expenses for various aspects such as content removal, construction, and collections. These costs were expected to be under \$1 million per library and could potentially be reimbursed by ICRMP. Eccles also mentioned initial expenses for water removal and repair work at Post Falls but hadn't discussed all details with the adjuster yet and did not anticipate extra cost for the district to cover.

Discussion of Current Insurance Coverage for Pending Claims: Action item *(10 minutes)*

- Hanley raised concerns about the director signing a lease at \$4,380 per month against the board's directive. Eccles emphasized the need for urgent repairs but cautioned against premature cost estimates due to ongoing emergency conditions. Belfor handled immediate water removal, but an invoice has not been received yet. Construction quotes within insurance limits have been obtained. CLN lost 7,100 items. Replacement costs for lost items are estimated at \$400k. Despite a \$1 million allocation, full restoration is not guaranteed. Eccles clarified the lease spans two to six months, with the first two months covered by the Athol claim. Various moving options have been explored to minimize costs including self-moving the Post Falls collection with staff and volunteer efforts.

Executive Session: 74-206 1(f)

- Ottosen proposed moving the executive session to the end of the meeting. Eccles said she did not believe the parameters for going into the executive session had been met.

Discussion on Restoration Cost Estimates and Contractors Consulted: Action item (20 minutes)

- Hanley inquired about contacting contractors and inventory of lost items. Eccles outlined risk mitigation steps including water removal by available contractors and vetting construction cost through the ICRMP third party construction estimator. It took 5 ½ weeks to receive the estimate from ICRMP due to numerous floods in the area. Quotes from Compass Construction and Devries moving company totaled around \$200k for content moving, leaving \$800k for both claims. Efforts have been made to identify cost-effective options. Lost materials have been documented but not itemized. Plass requested written numbers of the estimates. Eccles wrote the following on the whiteboard:

Athol	Post Falls
\$40k Belfor	\$100k Belfor
\$75k Compass (\$45k-remove, \$30k – return)	\$50-75k Content – library staff remove
\$300k construction	\$500k construction
\$50k other (books, tables)	\$300k-600k Books
Estimated cost = \$485k	Estimated cost = \$950k
Lease for about 2 months	Lease for about 4 months

Discussion on Restoration Plan for Post Falls and Athol Libraries: Action item (20 minutes)

- Eccles explained ICRMP has approved up to \$1 million per library. The content, furniture, and staff will be in the leased office space during demolition and construction. Ottosen asked staff to make a note of the two ladies with blond hair in the front row may be trespassed if they continue to be disruptive. Hanley wants to see the list of damaged items that were disposed of. Eccles explained change orders and capital funds would come to the board. The adjuster will create a scope of what was damaged. Hanley clarified he wants to know anything outside the scope of what was damaged.

Initiate Insurance Full-Coverage Applications for 2024/25 Regular Term: Action item (15 minutes)

- Hanley moved the director submit the completed application to Redman insurance for full coverage by March 14, and take the necessary action to have quotes from no fewer than two other companies ready to be presented to this board by July 18. Eccles expressed concern about the tight timeframe, suggesting it's unusual for annual quotes and proposing a public notice for transparency. Plass emphasized the need for additional quotes from brokers other than ICRMP. Hanley prioritized obtaining the best price. Eccles mentioned all necessary information was provided, but there seemed to be a delay at Redman's end. She also cited Article 14, advising against reckless actions, and discouraging legal advice for the director and board members. Ottosen called for a brief recess and requested two individuals to leave the meeting. Hanley threatened police intervention if they didn't comply.

Break (5 minutes)

- Ottosen asked the two individuals to leave the room, expressing a preference to avoid involving the police or resorting to trespassing measures. Blank mentioned she wasn't disturbed and believed involving the police would infringe upon their First Amendment rights. Ottosen instructed the director to call the police. The director assigned the task to the assistant director.

M, C – Ottosen – called to question to end debate, Blank opposed.

M, C – Hanley - insurance

Blank – nay

Hanley – aye

Ottosen – aye

Plass – aye

- Eccles said, "For the record, I feel I am being denied access to legal counsel."

Library Director Tasking to Provide Paper Copy Position Descriptions for all CLN Staff Positions, deliverable at the next Regular BoT Meeting: *Action item (10 minutes)*

- Hanley moved that the library director provide interested board members with paper copies of all CLN staff position descriptions at the April 18 regular board meeting. Eccles queried the urgency of this matter given the emergency status. Plass asked if the job descriptions are available online. Eccles explained job descriptions are digitized and available in a staff only online workroom and the authority for those records is on leave. Blank was not in agreement with this request. Eccles was asked for a recommended course of action and suggested utilizing the third-party compensation study consultants McGrath Human Resources Group.

M, C – Ottosen – called to question to end debate, Blank asked for a roll call vote.

Blank – nay

Hanley – aye

Ottosen – aye

Plass – aye

M, C – Hanley – director provide all staff job descriptions to the board. Blank asked for a roll call vote.

Blank – nay

Hanley – aye

Ottosen – aye

Plass - aye

Recessed at 3:33 pm Police arrived and asked two individuals to leave the meeting. They left.

Meeting called back to order at 3:34 pm

Library Director Tasking to Provide Short and Long-Term Staff Employment Report for Closed, Water Damaged Libraries, deliverable at the next Regular BoT Meeting: *Action item (10 minutes)*

- Hanley moved that the library director provide the board with a reasonably detailed staff utilization plan for staff normally assigned to the Athol and Post Falls libraries at the next regular board meeting, March 21. Discussion ensued on whether it should be given verbally or in writing. Eccles agreed to provide information at a level that is appropriate, keeping staff's privacy in mind and asked for an extension to the April regular meeting. Hanley suggested the information could be done in an executive session. Blank stated the board is only in charge of the director according to Idaho code and would want to know what the plans are for serving the public, not what the employees are doing. Eccles agreed with Blank and mentioned personnel policy reduction in force

must be driven by a budget decision. Eccles did not believe the board has authority to reduce force and suggested the board ask legal for counsel.

M, C – Hanley – called to question to end debate, Blank opposed.

M, C – Hanley – staff utilization plan on March 21 regular meeting. Blank asked for a roll call vote.

- Blank – nay
- Hanley – aye
- Ottosen – aye
- Plass – aye

Library Director to provide Rationale for Periodic Overdrive Reports Denial, Explain Library Director’s Abstention Vote, and Provide Required Report at the next Regular BoT meeting: *Action item (10 minutes)*

- Hanley read a prepared statement regarding the CIN email stating there is no report available. Hanley stated the board wants a list provided by CLN staff of books purchased every two months. Eccles does not have authority over Overdrive or CIN. Eccles said she has a 400-page report to give the board in the next packet. There is not currently a report in Koha to generate the report sorted the way the board wants. That would cost extra funds. Eccles said CIN does not require an explanation for why she abstained. Blank was pleased the director abstained from the CIN vote.

2024 CLN Budget Impact: Library Director Tasking to Provide Preliminary Budget for Post Falls and Athol Water Damage Restoration: *Action item (10 minutes)*

- Hanley made a motion to initiate a six-month hiring freeze. Blank said she does not think that is legal. Eccles said the motion is outside of the scope of the agenda. Boyles agreed with Eccles. Hanley withdrew the motion. Plass sought consensus for the board to receive a written, more detailed estimate of construction costs for Athol and Post Falls libraries like what Eccles presented on the whiteboard. Eccles countered, noting it is not on the agenda and highlighted the additional costs incurred by the board, including legal counsel and insurance, which need addressing. She emphasized that such tasks fall under the adjuster’s purview, not the directors, and the timeframe proposed was unrealistic. Eccles reiterated her schedule constraints and the unreasonable expectations placed on her. She also mentioned \$500,000 in unassigned property taxes, which had not been factored into the budget due to not knowing how much it would be. Plass insisted on the board’s right to know the director’s vision, and the board majority requested to receive written construction costs.

Set Special and regular meeting dates: *Action item (5 minutes)*

Adjournment: Action item

Blank moved to adjourn at 4:18 pm.

M, C – Plass

Respectfully submitted,

Alexa Eccles, Michelle Fansler

Calendar of events:

21 Mar 2024

Regular Meeting

2:00 – 5:30

Hayden

Please let us know if you need auxiliary aids or services to enjoy our libraries. This includes providing a sign language interpreter, assistive listening devices, or print materials in a digital format. We can also modify programs, services, or activities, within reasonable limits. Please request these services through Randy Zepeda, ADA Coordinator, preferably 15 days in advance, but no later than 72 hours before the event. Phone: 208-773-1506 ext. 329 Email: ADAcoordinator@communitylibrary.net

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DRAFT

Community Library Network
SPECIAL Board of Trustees Meeting
THURSDAY, MARCH 28, 2024
POST FALLS LIBRARY

2:00-4:00PM

We Empower Discovery

Agenda

Call to Order Meeting was called to order at 2:00 pm

Roll Call Trustees: Katie Blank, Tom Hanley, Rachele Ottosen (arrived at 3:02 pm),
Tim Plass, Vanessa Robinson
Staff: Alexa Eccles, Lindsey Miller-Escarfuller

Public Comment (30 minutes) Speakers must state name and community and speak for no more than 3 minutes. Persons addressing the Board are expected to observe a level of civility and decorum appropriate for a public meeting. No personal attacks or disruptions from audience members will be tolerated.

- Suzanne Kearney, Post Falls – Discussed a letter from former Trustee Regina McCrea about open meeting law. She spoke about the Director’s past performance. She suggested offering staff a floating holiday. She requested the board not renew the Director’s contract in 2025.
- Diane Van Etten, Hayden – Spoke in favor of the Juneteenth holiday. She read from the book “Opal Lee and What It Means to Be Free – the True Story of the Grandmother of Juneteenth.”
- Teresa Birkett, Post Falls – Addressed the board’s possible open meeting law violation on March 6, 2024. She stated that typed out speeches and motions and discussions limited to 10 minutes indicate predetermined discussion by board members. She said the Board has not thanked Lake Coeur d’Alene Movers for providing services to the library.
- Summer Bushnell, - Addressed email sent recently. Appreciates the library’s quick response to records requests. She spoke against Juneteenth and suggested giving staff a floating holiday.
- Dallas J Graves, Silver Valley – Addressed the removal of Juneteenth as short sighted and superficial. She spoke in favor of Juneteenth and suggested the board seek staff input before abruptly revoking a holiday. She spoke against racism.
- Linda Putts, Hayden – Spoke against Juneteenth. Said it is not representative of the community. Suggested a floating holiday for staff.

Discussion and review training on Open Meeting Law.

- Blank opened the discussion by referring to the letter the board received from former Trustee Regina McCrea about possible open meeting law violations. She is concerned that trustees have not received education on open meeting law. At the last meeting, she spoke with Boyles and asked that he attend this meeting. Blank suggested the trustees go through the open meeting law handbook. Hanley stated he determined that Boyles did not need to be at the meeting as there were no action items on the agenda. Eccles stated Boyles has been invited to attend every meeting. She stated a singular trustee does not have authority to instruct the attorney; the board majority determines the need for legal counsel. Robinson stated she was in disbelief

that Boyles was told not to come. Plass agreed that legal counsel does not need to be present if there are no action items on the agenda. He stated that Boyles is only here to guide us before we take action. Eccles advised that the board take a recess to see if Boyles can join via phone or computer. Robinson questioned if Boyles would be prepared if he was not planning to attend. Hanley stated the special meeting was called by two trustees or the Director and it is up to them to determine who provides training. Plass stated legal counsel provided open meeting law training at his first trustee meeting. Hanley stated next time we need to decide when counsel will or will not be present. Blank stated the trustees have been told by an attorney that we have violated open meeting law, and we should talk about the questions presented in the letter. Hanley stated we are not going through point by point on someone's accusations. Plass stated Boyles requested an email and he will investigate the allegations of violations. It is inappropriate to read McCrea's letter in the meeting. Blank read from page 1 and 2 of the Idaho Open Meeting Law Manual. She stated her question concerns whether a 2/3 vote is required, does that mean members present or all members of the governing body? Eccles stated that Boyles previously answered that question and that it requires four voting members. Plass stated page 24(5) answers the question; the governing authority of our board is 3. Blank stated no one sitting here is an attorney; Boyles needs to answer the question. Eccles stated best practice is not to talk to other trustees outside of board meetings about business currently happening with the board. Board business should be done in front of the public. Robinson asked if Boyles has given the trustees an answer about the best way to deliver legal information to the board. Eccles stated she has not received anything from Boyles. She stated the attorney will mark things as confidential and those should be held in private and not made public. The Director, Chair, and attorney will discuss if a topic must be shared only in executive session. Plass stated he requested legal counsel give advice in writing or executive session. We do not have to have on public record what his advice was if the policy will lead to litigation. The attorney can provide similar court cases, but the board makes the decision. Plass stated he does not want a public record of the attorney saying this is safe and the board does something else. Once on record it can be used in litigation and be proved we are doing something reckless. Hanley mentioned page 38 of the Idaho Open Meeting Law Manual outlines when executive session should be used. Blank said the manual is very clear about when we go into executive session. Not wanting something on public record is the opposite of transparency. Hanley stated the board cannot address the letter from former Trustee Regina McCrea. Hanley stated time is up for discussion.

Discussion on Personnel Policy 5.3.6 Holiday

- Blank stated the discussion was cut off at the last meeting and requested input from staff. Eccles stated the revised policy is included in packet. She compared other libraries in the area and their approved holidays. Only CDA Library does not recognize Juneteenth. Eccles presented a summary of the results of a staff survey regarding holiday closures. She summarized comments relating to Juneteenth, the fiscal year, and the effect on staff. Eccles requested clarification on whether this change is for next fiscal year as the budget is set for FY24. It is a financial strain for staff to have three days off in November. Plass clarified that Presidents' Day is still called Presidents' Day. He recommends that Juneteenth be honored this year to align the holiday changes with the fiscal year. Robinson stated that the board could have had this discussion before voting at the last meeting. She believes the holiday change is not racially motivated. She reminded trustees that the libraries are open on Saturday, staff will not get a four-day weekend with the Thanksgiving travel day. Eccles shared CLN has 30 full-time staff

and those are the ones that are paid for holidays. Robinson stated we need to discuss if this change is happening in 2025. Eccles said it is effective this year and if it needs to be changed it needs to be modified in a future meeting. Blank agreed it should be added to a future agenda. Eccles suggested adding it to the next regular meeting. Hanley requested to limit discussion to implementation date only and not rehash the topic.

Adjournment: Action Item

Hanley moved to adjourn at 3:11 pm

M, C - Hanley

Respectfully submitted,

Alexa Eccles, Lindsey Miller-Escarfuller

+++++

Calendar of events: April 18, 2024, 2:00-5:30pm, Hayden Library

Please let us know if you need auxiliary aids or services to enjoy our libraries. This includes providing a sign language interpreter, assistive listening devices, or print materials in a digital format. We can also modify programs, services, or activities, within reasonable limits. Please request these services through Randy Zepeda, ADA Coordinator, preferably 15 days in advance, but no later than 72 hours before the event. Phone: 208-773-1506 ext. 329. Email: ADAcoordinator@communitylibrary.net The Community Library Network does not discriminate on the basis of disability in its programs, services, activities or employment practices. The Library Network has a policy on ADA compliance and the complete policy is available for review upon request. In addition, a grievance procedure is available to resolve complaints. If you need this notice in large print or Braille, let us know.

Posted: 03/25/2024

COOPERATIVE INFORMATION NETWORK MINUTES

Wednesday, February 21, 2024
Post Falls Library/Microsoft Teams

Benewah Co.: __ Kathy Davis/**Clarkia:** __ Dawn Kruger /**Coeur d'Alene:** X Michael Priest
CLN: X Alexa Eccles /**Kellogg:** __ Danni Boylan/ **Liberty Lake:** X Jandy Humble/
Mullan: __ Debbie Berger/ **Osburn:** X Jamee Sperry/ **Pend Oreille Co.:** X Mandy Walters/
Plummer: X Jenny Grobey/**Priest Lake:** __ Jaime Yob/ **St. Maries:** __ Pinky Humphrey/
Wallace J/S High: X Katie Bauer **Wallace Public:** X Annette Kologi /**West Bonner:** X Meagan Mize

CLN: X Kari Wilson/X Mark Foster/X Janelle Sells/X Lindsey Miller-Escarfuller
Coeur d'Alene: X Christopher Brannon/X Melissa Searle/ __ Tyler McLane
Liberty Lake: X Georgette Rogers

Chairperson Michael Priest called the meeting to order at 10:00am.

Introductions

All members present introduced themselves

Approval of:

February 2024 Agenda

January 2024 Minutes

January 2024 Financial Statements

Jandy moved to approve the consent calendar. Mandy seconded. Motion carried.

Unfinished Business & Action items

- **Library of Things waiver** = Still discussing options for a waiver that can be used universally. Discussion will continue via email.
- **Aspen Discovery** = Cost breakdown will be provided once all stats have been reported to Janelle. Christopher will work on arranging a demo.
- **Stats Reminder** = Please turn your annual statistics into Janelle as soon as possible.

New Business:

- **Records of OverDrive purchases** = CLN board of trustees requested a record of digital purchases. No such records exist. CIN OverDrive purchases can be sorted by date added and intended audience using search filters on the website and Libby app. A motion to decline the request of the CLN board of trustees to provide records of OverDrive purchases was made by Mandy. Annette seconded. Motion carried. CLN director abstained from the vote.
- **OverDrive Advantage Plus** = CDA is considering enrolling in this additional component. Material would be purchased by CDA using their funding. Items will be available consortium wide, but CDA patrons will be given item level hold status.
- **Lost Items** = Questions about how lost and damaged items from other libraries are being handled. Policy will be reviewed for a possible update to verbiage.

Adjournment: 10:43 AM

Next meeting: Wednesday, March 20, 10AM. Coeur d'Alene Public Library/Microsoft Teams
Respectfully submitted, Meagan Mize

CIN Income Statement/Balance Sheet Analysis
March 2024 – 50.00% of Time Elapsed

REVENUE

1 Income – Benewah County – Benewah County has paid their portion of dues for the year and two quarters of their courier costs.

2 Income – Clarkia – Clarkia has paid their portion of dues.

3 Income – Coeur d’Alene – Coeur d’Alene has paid their portion of dues for the year and two quarters of their courier costs.

4 Income – Community Library Network – The District has paid two quarters of dues for the year and two quarters of their courier costs.

5 Income – Kellogg – Kellogg has paid their portion of dues for the year.

6 Income – Liberty Lake – Liberty Lake Library has paid their portion of dues for the year and two quarters of their courier costs.

7 Income – Mullan Public – Mullan has paid their portion of dues for the year.

8 Income – Osburn – Osburn has paid their portion of dues for the year.

9 Income – Pend Oreille – Pend Oreille County has paid their portion of dues for the year and two quarters of their courier costs.

10 Income – Plummer – Plummer has paid their portion of dues for the year.

11 Income – Priest Lake – Priest Lake Library has paid their portion of dues for the year.

12 Income – Silver Hills – Silver Hills has paid their portion of dues for the year.

13 Income – St Maries – St Maries has paid for their dues and two quarters of their courier costs.

14 Income – Wallace High – Wallace High has paid their portion of dues for the year.

15 Income – Wallace Public – Wallace Public has paid their portion of dues for the year.

16 Income – West Bonner – West Bonner District Library has paid their dues and two quarters of their courier costs.

17 Income – E-books Membership – This will be received in May or June by CDA and CLN libraries.

18 Income – E-books Contributions – Contributions this month are from the Coeur d’Alene Library and the Community Library Network.

19 Income – Donation for E-books – No donations this month.

20 Income – Interest – Interest Income is above budget for March and the year.

EXPENSES

22 E-books & Materials – Purchases this month are a direct result of the contributions from the Coeur d'Alene Library and the Community Library Network.

23 E-book Membership – This expense will be paid in May or June.

24 ByWater / Koha Maintenance – No expense this month.

25 EBSCO Open Athens/Novelist – There is no expense this month. This expense is generally paid in August or September.

26 Envisionware / Maint. – This line is complete for the year.

27 Marcive Maintenance – This is billed in the spring or summer.

28 OPAC Maint – Syndetics – The annual renewal for Syndetics has been paid. This line ends the year just over budget.

29 Twilio – Twilio charges are for any automated communication, except email, to library members about their library account. This line is above budget for March.

30 Accounting Svcs – This amount will be billed and paid in September of 2024.

31 Audit – This will be paid in late winter or early spring when our auditor has finished her work.

32 Legal & Professional Services – Bank charges from February were reimbursed. Expenses this month are for CIN website hosting.

33 Supplies – Expense this month is for purchasing checks for payments.

34 Local Courier – This is the monthly amount paid to the CIN courier.

35 ORBIS Courier – This is paid in quarterly installments. The next quarterly payment will be in April.

BALANCE SHEET

Current Assets/Accounts rec – The checking account reflects the current balance at month-end.

Money Market Acct – These are funds currently in the money market account.

Prepaid Expenses – These are funds placed with Overdrive as part of our CIN contract to acquire eBooks and pay for their service. The annual audit will determine if there are any adjustments necessary for FY 23.

Current Liabilities – None at this time.

Long-Term Liabilities – This line is adjusted at the end of our audit. There were no Long-Term Liabilities for FY 22. The annual audit will determine if there are any Long-Term Liabilities for FY 23.

Capital – Auditor adjustments are made annually to all Capital Assets and Income.

Janelle Sells
Business Manager for CLN & CIN

Cooperative Information Network
Income Statement - 50.00% Time Elapsed
For the Six Months Ending March 31, 2024

UNAUDITED

	Current Month	YTD Actual	Annual Budget	YTD %
Revenues				
1 INCOME - BENEWAH COUNTY	0.00	2,694.10	3,651.43	73.78
2 INCOME - CLARKIA	0.00	1,179.64	1,179.64	100.00
3 INCOME - COEUR D'ALENE	0.00	19,502.15	24,288.82	80.29
4 INCOME - COMMUNITY LIBRARY NET	0.00	40,087.80	80,175.59	50.00
5 INCOME - KELLOGG	0.00	1,462.14	1,462.14	100.00
6 INCOME - LIBERTY LAKE	0.00	5,529.41	7,444.07	74.28
7 INCOME - MULLAN PUBLIC	0.00	1,468.94	1,468.94	100.00
8 INCOME - OSBURN	0.00	1,110.05	1,110.05	100.00
9 INCOME - PEND OREILLE	0.00	4,990.15	5,947.48	83.90
10 INCOME - PLUMMER	0.00	1,739.56	1,739.56	100.00
11 INCOME - PRIEST LAKE	0.00	1,634.75	1,634.75	100.00
12 INCOME - SILVER HILLS	0.00	1,231.35	1,231.35	100.00
13 INCOME - ST. MARIES	0.00	2,717.80	3,675.13	73.95
14 INCOME - WALLACE HIGH	0.00	1,075.30	1,075.30	100.00
15 INCOME - WALLACE PUBLIC	0.00	1,548.71	1,548.71	100.00
16 INCOME - WEST BONNER	0.00	4,519.17	6,433.83	70.24
17 INCOME - EBOOKS MEMBERSHIP	0.00	0.00	10,000.00	0.00
18 INCOME - EBOOKS CONTRIBUTIONS	30,000.00	60,000.00	10,000.00	600.00
19 INCOME - E-BOOKS DONATIONS	0.00	11,075.19	3,000.00	369.17
20 INCOME - INTEREST	13.55	66.59	40.00	166.48
21 Total Revenues	30,013.55	163,632.80	167,106.79	97.92
Expenses				
22 EBOOKS & MATERIALS	30,000.00	83,075.19	25,000.00	332.30
23 EBOOK MEMBERSHIP	0.00	0.00	10,000.00	0.00
24 ByWATER / KOHA MAINTENANCE	0.00	0.00	29,050.00	0.00
25 EBSCO OPEN ATHENS/NOVELIST	0.00	0.00	9,725.00	0.00
26 ENVISIONWARE / MAINT	0.00	4,161.49	4,727.00	88.04
27 MARCIVE MAINTENANCE	0.00	0.00	1,820.00	0.00
28 OPAC MAINT-SYNETICS	0.00	3,784.19	3,650.00	103.68
29 TWILIO	601.49	3,615.91	5,000.00	72.32
30 ACCOUNTING SERVICES	0.00	0.00	2,000.00	0.00
31 AUDIT	0.00	0.00	4,150.00	0.00
32 LEGAL & PROFESSIONAL SERVICES	(21.00)	69.00	0.00	0.00
33 SUPPLIES	145.42	(591.36)	0.00	0.00
34 LOCAL COURIER	5,681.65	34,089.90	68,179.80	50.00
35 ORBIS COURIER	0.00	1,935.62	3,765.00	51.41
36 Total Expenses	36,407.56	130,139.94	167,066.80	77.90
37 Net Income	(\$ 6,394.01)	\$ 33,492.86	\$ 39.99	83,753.09

Cooperative Information Network
Balance Sheet - 50.00% Time Elapsed
March 31, 2024

UNAUDITED

ASSETS

Current Assets

MTN WEST - CK BK	\$	775.91
ACCOUNTS REC		39.23
		<u> </u>

Total Current Assets **815.14**

Property and Equipment

Total Property and Equipment **0.00**

Other Assets

MONEY MKT ACCT 2090005920	59,213.19
PREPAID EXPENSES	20,506.09
	<u> </u>

Total Other Assets **79,719.28**

Total Assets **\$ 80,534.42**

LIABILITIES AND CAPITAL

Current Liabilities

Total Current Liabilities **0.00**

Long-Term Liabilities

Total Long-Term Liabilities **0.00**

Total Liabilities **0.00**

Capital

NET ASSETS	\$	47,041.56
Net Income		33,492.86
		<u> </u>

Total Capital **80,534.42**

Total Liabilities & Capital **\$ 80,534.42**

Community Library Network Financial Statement Analysis
March 2024 – 50.00% of Time Elapsed

Revenue

1 Income – Taxes – Property Tax Income came in as expected for March.

2 Income – Bond Levy – We satisfied our bond levy obligation in January. The law requires that all property tax money go to the Bond until that income line has reached 100%.

3 Income – Sales Tax & Ag Equip – Sales Tax Income is received quarterly. This month, we received the delayed payment from Kootenai County. This line is just under budget for the month.

4 Income – Coop Electric Agreement – This annual payment arrives in July.

5 Income – Personal Property Replacement – The first semi-annual payment arrived in January and is above expectations.

6 Income – Property Tax Relief – The first semi-annual payment arrived in January and is below expectations.

7 Income – State Add'l Tax Relief – This is a new income line as a result of new legislation from House Bill #292. This income will be received in semi-annual installments.

8 Income – ST Homeowners Tax Relief – This is a new income line as a result of new legislation from House Bill #292. This income will be received in semi-annual installments.

9 Income – URD Close – URD funds may continue to trickle in throughout the year.

10 Income – Copiers/Printers – Copier/Printer income is below budget for March.

11 Income – Donations – Donation income this month comes from a variety of library members, including a repeat donor for Pinehurst.

12 Income – Fees – Fee income is below budget for March.

13 Income – Lost & Paid – Lost and paid income is below budget for March.

14 Income – Grants – No income this month.

15 Income – CLN Friends Grants – No income this month.

16 Income – Post Falls Friends Grants – Income this month will support Summer Reading programs.

17 Income – Interest – Interest income is above budget for the year.

Expenditures

19-25 Salary Components – The Salary Components, in total through March are at 47.57% of their budgeted amount.

26 Adult Programs – Adult programming is below budget for the month. This line varies quite a bit as programs are planned and presented.

27 Children's Programs – Children's programming expense is below budget for the month. This line varies quite a bit as programs are planned and presented. Youth Services is gearing up for Summer Reading.

28 Collections – Collections spending is just below budget for the month.

29 Communications/Marketing – Minimal expenditures this month. This line will increase as programs require marketing materials.

30 Emerging Tech. Programs – No expense this month.

31 OCLC/Databases – No expenditures this month.

32 Software – The expense this month includes the monthly hosting services for Office 365, the software renewal for Collection HQ and LogMein – a software program that allows remote access to library computers.

33 Internet Access – Fatbeam is our vendor that brings the internet into our central hub at Post Falls. E-rate discounts are being applied. The negative amount reflects the State reimbursing the District for the non-E-rate supported expense.

34 Telecom – Fatbeam connects all our facilities to the central hub for internet access. T-Mobile is our hot spot provider. Verizon provides wireless access for Chromebooks, the bookmobile and several devices used by facilities staff. E-rate discounts are being applied. The negative amount reflects the State reimbursing the District for the non-E-rate supported expense.

35 Tech Proc/Office – Tech processing and supplies is just above budget for March.

36 Grants – Expenses this month supported Teen Wellness programs.

37 Grants – CLN Friends – Expenses this month purchased supplies for Summer Reading, Going to Seed, and Paint & Sip programs.

38 Grants – Post Falls Friends – No expenses this month.

40 Janitorial – Janitorial expenses this month include regular monthly cleaning at all locations.

41 Library Equip (under \$2500) – Purchases this month focused on equipment needs for Athol and Post Falls resulting from the water damage remediation, including book carts for moving materials.

42 Mileage & Vehicle Maint. – Expenses this month include fuel for District vehicles and mileage reimbursement for some staff members.

43 Outreach Vehicles – Expenses this month are for repairs for the bookmobile.

44-50 Repairs & Maint. (as a group) – As a group, repairs and maintenance are at -30.7% for March. The negative amount reflects receiving insurance claim funds for repairs at Athol. Other expenses this month include pest control at four libraries, HVAC repairs at Hayden, and painting at Pinehurst and Rathdrum.

51 Snow Removal – Snow removal costs for March were moderate. Hopefully, winter is over.

52 Telephones – Telephone expenses are on target for March.

53-59 Utilities (as a group) – As a group, utilities are at 48.74% for March. This month includes regular expenses for electricity, gas, water, sewer, and garbage.

61 Audit – The audit process is under way and the on-site portion has been completed. CIN will reimburse the District for their portion of the audit expense once the audit is complete.

62 Bank Svc Chg. – Bank service charge expense is below budget for the month.

63 Bond Principal Payment – Our bond principal is paid in July.

64 Bond Interest – Our bond Interest is paid semi-annually in January and July.

65 CIN – We pay our dues to CIN quarterly. The next quarterly payment will be in April.

66 Courier – We pay our courier payments to CIN quarterly. The next quarterly payment will be in April.

67 Copiers – Copier expenses are paid quarterly and are just above budget for the quarter.

68 Dues – Dues expense this month renew memberships with Hayden and Post Falls Chambers of Commerce and Costco.

69 Insurance – 50% of the ICRMP policy and 100% of the Great American Insurance policy has been paid. The balance of the ICRMP policy is expected to be paid by April 1, 2024.

70A & 70B Legal & Professional – The lines, collectively, are above budget for March. Legal expenses are above budget for the month and Professional Services are below budget for the month. Professional Services expenses this month include fees for the electronic time-keeping payroll system, collection services for past due patron accounts, and COBRA administration.

71 Petty Cash Expense – No expense this month.

72 Postage – Postage is below budget for March.

73 Sales Tax Expense – This is paid quarterly based on the amount of income we receive from copier and printer use. We will make the next quarterly payment in June.

74 Storage Rental – Storage rental is below budget for March. This month includes insurance funds received to cover rent for the offsite storage of materials from Athol and Post Falls and paying a full and partial month of rent.

75 Training/Conf. Travel – Expenses this month are for a minimal charge for a staff meeting at Hayden.

BALANCE SHEET

Current Assets – Includes month end checking account balances as well as Property Tax Receivable. Property Tax Receivable is examined and adjusted annually by the auditor. Adjustments for FY'23 are not completed yet.

Property and Equipment

All capital property and equipment balances reflect the current value of the assets. These are examined and adjusted annually by the auditor. Adjustments for FY'23 are not completed yet.

Land – No change this month

Land improvements – No change this month

Buildings – No change this month

Vehicles – No change this month

Equipment & Furniture – Expenses this month purchased the HVAC controls and HVAC equipment replaced at Post Falls. Normally, work on the HVAC system would be a Repair and Maintenance expense. However, this time, equipment needed to be replaced and accounting guidelines require this expense to be capitalized.

Collections – No change this month

Other Assets

Mtn West MMK – Henderson Fund – This account is a fund dedicated to Youth Services purchases in the District.

ICS – This stands for “Insured Cash Sweep” and is the account where we receive the most stable interest on funds we anticipate holding for longer periods of time. The ICS holds the majority of our cash on hand and keeps our funds within the guidelines of FDIC insurance.

CARRF – Our Capital Asset Repair and Replacement available funds appear here. The budgeted FY'23 transfer was made in September. This account is currently over the FDIC insurance limits and staff will be looking for more secure options while maintaining liquidity for upcoming capital projects.

CARRF-CDARS – CARRF funds in excess of FDIC insurance limits are held in this group of short-term CDs.

Mtn West MMK – Pinehurst Bequest – This account is a fund dedicated to the Pinehurst library

Amount to provide for long-term debt – These assets would be used in the event we needed to pay someone their accrued vacation time if they left the District. (See “Accrued Annual Leave” below.)

Current Liabilities

All current liabilities are examined and adjusted annually by the auditor. Adjustments for FY'23 are not completed yet.

Accts Payable – Bills that would normally be paid in March arrived late delaying their payment until April.

Accrued Payroll Liabilities – a portion of the October payroll included some days in September of the prior fiscal year.

Accrued Annual Leave – This is close to the same amount (\$0.16 difference is due to rounding during the audit process) listed as an asset above and represents our current liability to pay those with accrued vacation time.

Bond Interest Payable – This amount is established annually at the close of the fiscal year through audit adjustments.

Long-Term Liabilities

Bonds Payable – This is the amount currently owed on our bond.

Premium on Bonds Payable – This amount is established annually at the close of the fiscal year through audit adjustments.

Deferred Property Tax Revenue – This is the portion not paid within 60 days of the end of our fiscal year. The amount is established annually at the close of the fiscal year through audit adjustments.

Net Assets

Net Invest in Fixed Assets – This is the value of all the District's fixed assets minus our bond debt. The amount is established annually at the close of the fiscal year through audit adjustments.

Net Assets – Unrestricted – These are liquid assets. The amount is established annually at the close of the fiscal year through audit adjustments.

Restricted Net Assets – This reflects end-of-year entries through audit adjustments and includes assets for the following restricted funds: Smithsonian and all other unexpended grant monies and dedicated donations.

Janelle Sells
Business Manager
Community Library Network

Community Library Network
Balance Sheet - 50.00% of Time Elapsed
March 31, 2024

ASSETS

Current Assets

MTN WEST-CK BK	\$ 56,742.07
ACCTS REC	86,440.89
PROPERTY TAX RECEIVABLE	<u>486,528.00</u>

Total Current Assets **629,710.96**

Property and Equipment

LAND	268,512.00
LAND IMPROVEMENTS	53,045.23
ART	8,785.00
BUILDINGS	9,230,756.16
VEHICLES	478,300.94
EQUIP & FURNITURE	368,966.83
COLLECTIONS	5,127,103.77
ACCUM DEPREC	<u>(8,917,774.79)</u>

Total Property and Equipment **6,617,695.14**

Other Assets

MNT WEST MMK - HENDERSON FUND	5,477.40
ICS	3,378,308.10
CARRF	501,435.75
CARRF - CDARS	234,935.21
MNT WEST MMK-PINEHURST BEQUEST	134,994.49
AMT TO PROV FR LONG TERM DEBT	<u>101,575.49</u>

Total Other Assets **4,356,726.44**

Total Assets **\$ 11,604,132.54**

LIABILITIES AND NET ASSETS

Current Liabilities

ACCTS PAYABLE	\$ 6,420.39
ACCRUED PAYROLL	48,146.00
ACCRD ANNL LV	101,575.65
BOND INT PAYABLE	<u>5,659.48</u>

Total Current Liabilities **161,801.52**

Long-Term Liabilities

BONDS PAYABLE	520,000.00
PREM ON BNDS PAY	489.31
DEFERRED PROPERTY TAX REVENUE	<u>468,102.00</u>

Total Long-Term Liabilities **988,591.31**

Community Library Network
Balance Sheet - 50.00% of Time Elapsed
March 31, 2024

Total Liabilities **1,150,392.83**

NET ASSETS

NET INVEST IN FIXED ASSETS 5,942,228.51

NET ASSETS-UNRESTRICTED 3,170,953.98

RESTR NET ASSETS 326,865.44

NET INCOME 1,013,691.78

Total Net Assets **10,453,739.71**

Total Liabilities & Net Assets **\$ 11,604,132.54**

Community Library Network
Income Statement - 50.00% of Time Elapsed
For the Six Months Ending March 31, 2024

UNAUDITED	Current Month	YTD Actual	Approved YTD % Amended Budget	Budget
Revenues				
1 INCOME - PROPERTY TAXES	43,471.60	2,631,244.42	5,013,163.00	52.49
2 INCOME - BOND LEVY	0.00	278,400.00	278,400.00	100.00
3 INCOME - SALES TAX & AG EQUIP	66,411.94	148,064.34	300,000.00	49.35
4 INCOME - COOP ELECT AGRMENT	0.00	8,401.44	35,100.00	23.94
5 INCOME - PERSONAL PROP RPLCMNT	0.00	16,030.02	27,983.00	57.28
6 INCOME - PROPERTY TAX RELIEF	0.00	21,795.93	64,300.00	33.90
7 INCOME- STATE ADD'L TAX RELIEF	0.00	28,577.61	0.00	0.00
8 INCOME-ST HOMEOWNER TAX RELIEF	0.00	294,281.95	0.00	0.00
9 INCOME - URD CLOSE	0.00	(825.72)	0.00	0.00
10 INCOME - COPIERS/PRINTERS	2,589.83	15,287.36	34,000.00	44.96
11 INCOME - DONATIONS	1,129.05	4,028.60	10,000.00	40.29
12 INCOME - FEES, ETC.	140.00	487.07	1,100.00	44.28
13 INCOME - LOST & PAID BOOKS	329.96	2,571.98	7,400.00	34.76
14 INCOME - GRANTS	0.00	0.00	20,000.00	0.00
15 INCOME - CLN FRIENDS	0.00	6,300.00	15,000.00	42.00
16 INCOME - POST FALLS FRIENDS	3,500.00	4,400.00	10,000.00	44.00
17 INCOME - INTEREST	9,426.02	44,026.50	34,000.00	129.49
18 Total Current Revenues	126,998.40	3,503,071.50	5,850,446.00	59.88
Expenditures				
19 SALARIES	226,836.39	1,415,253.23	2,993,456.00	47.28
20 PERSI RETIREMENT BENEFITS	21,586.54	134,541.08	288,626.00	46.61
21 MEDICAL/DENTAL BENEFITS	23,168.01	146,217.57	374,736.00	39.02
22 EMPLOYEE ASSISTANCE PROGRAM	190.32	1,141.92	2,350.00	48.59
23 VEBA HEALTH BENEFITS	0.00	58,793.77	65,440.00	89.84
24 EMPLOYMENT TAXES	19,262.84	136,074.75	252,895.00	53.81
25 Total Salaries and Benefits	291,044.10	1,892,022.32	3,977,503.00	47.57
26 ADULT PROGRAMS	1,082.13	3,375.19	17,000.00	19.85
27 CHILDREN'S PROGRAMS	1,466.61	11,007.28	30,000.00	36.69
28 COLLECT(Bks & Materials)	57,482.24	161,420.42	332,079.00	48.61
29 COMMUNICATIONS / MARKETING	194.22	352.29	22,500.00	1.57
30 EMERGING TECH. PROGRAMS	0.00	97.93	2,500.00	3.92
31 OCLC/DATABASES	0.00	6,500.00	37,000.00	17.57
32 SOFTWARE	16,154.48	48,800.75	108,000.00	45.19
33 INTERNET ACCESS	597.00	0.00	7,164.00	0.00
34 TELECOM	5,381.34	12,510.26	66,202.00	18.90
35 TECH/PROC/OFFICE	6,612.46	30,144.49	57,628.00	52.31
36 GRANT	1,882.14	7,875.37	20,000.00	39.38
37 GRANTS - CLN FRIENDS	2,926.25	5,912.52	15,000.00	39.42
38 GRANTS - POST FALLS FRIENDS	0.00	1,484.97	10,000.00	14.85
39 Total Programs, Materials and Services	93,778.87	289,481.47	725,073.00	39.92
40 JANITORIAL	7,672.75	57,092.24	160,000.00	35.68
41 LIBRARY EQUIP (UNDER \$2500)	4,534.07	17,291.34	93,544.00	18.48
42 MILEAGE & VEHICLE MAINT.	1,682.62	11,186.18	24,000.00	46.61
43 OUTREACH VEHICLES - R & M	9,222.53	10,819.44	38,300.00	28.25
44 REPAIRS&MAINT/AT	(69,791.54)	(67,377.01)	14,225.00	(473.65)
45 REPAIRS&MAINT/HR	125.00	2,100.06	7,600.00	27.63
46 REPAIRS&MAINT/HL	1,312.30	10,394.71	23,800.00	43.68
47 REPAIRS&MAINT/PK	369.63	3,212.00	18,900.00	16.99

Community Library Network
Income Statement - 50.00% of Time Elapsed
For the Six Months Ending March 31, 2024

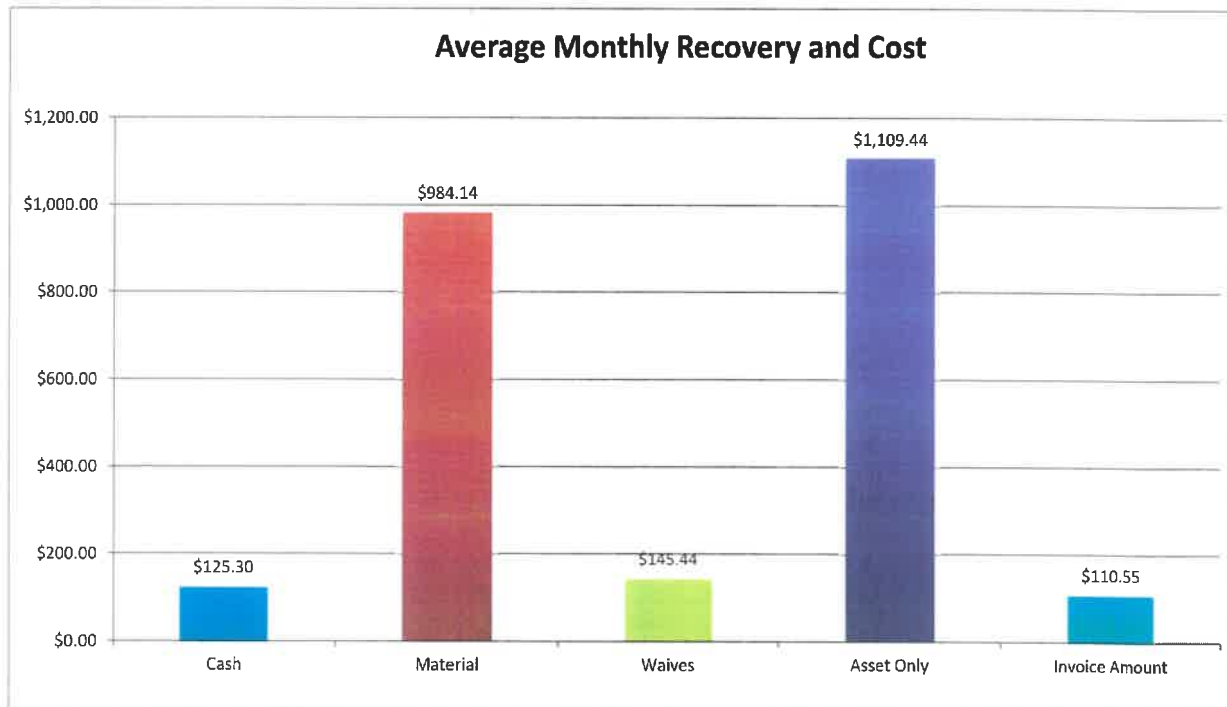
UNAUDITED	Current Month	YTD Actual	Approved YTD % Amended Budget	Annual Budget	YTD % Budget
48 REPAIRS & MAINT/PF	17.58	5,617.36	35,200.00	15.96	
49 REPAIRS&MAINT/RA	616.71	2,813.88	18,800.00	14.97	
50 REPAIRS&MAINT/SL	89.00	2,939.99	12,750.00	23.06	
51 SNOW REMOVAL	3,942.50	20,002.40	35,000.00	57.15	
52 TELEPHONE	1,424.98	8,779.04	18,250.00	48.10	
53 UTILITIES/AT	456.14	4,427.82	9,050.00	48.93	
54 UTILITIES/HR	501.21	3,080.31	6,000.00	51.34	
55 UTILITIES/HL	2,998.25	17,265.19	37,700.00	45.80	
56 UTILITIES/PK	678.87	3,718.18	6,700.00	55.50	
57 UTILITIES/PF	5,312.45	27,500.21	55,200.00	49.82	
58 UTILITIES/RA	848.09	5,544.35	11,750.00	47.19	
59 UTILITIES/SL	516.48	3,771.33	7,600.00	49.62	
60 Total Facilities Maintenance	(27,470.38)	150,179.02	634,369.00	23.67	
61 AUDIT	0.00	17,750.00	14,500.00	122.41	
62 BANK SVC CHGS	92.70	128.25	350.00	36.64	
63 BOND PRINCIPAL PAYMENT	0.00	0.00	255,000.00	0.00	
64 BOND INTEREST	0.00	11,700.00	23,400.00	50.00	
65 CIN	0.00	17,485.92	34,972.00	50.00	
66 COURIER	0.00	22,601.88	45,204.00	50.00	
67 COPIERS	0.00	4,897.06	9,500.00	51.55	
68 DUES	754.00	1,566.00	2,000.00	78.30	
69 INSURANCE	0.00	33,008.50	51,293.00	64.35	
70 LEGAL & PROFESSIONAL	7,379.44	43,909.06	82,000.00	53.55	
70A - LEGAL SERVICES	6,100.60	35,459.85	47,000.00	75.45	
70B - PROFESSIONAL SERVICES	1,278.84	8,449.21	35,000.00	24.14	
71 PETTY CASH EXP	0.00	146.91	1,000.00	14.69	
72 POSTAGE	492.97	4,529.62	10,000.00	45.30	
73 SALES TAX EXP	425.39	917.25	2,040.00	44.96	
74 STORAGE RENTAL	(964.30)	785.70	4,500.00	17.46	
75 TRAINING/CONF. TRAVEL	21.30	(1,729.24)	20,000.00	(8.65)	
76 Total District General Operations	8,201.50	157,696.91	555,759.00	28.38	
77 Capital Expenditure from Current Revenues	6,255.23	6,255.23	0.00	0.00	
78 CARRF Fund Transfer from Current Revenues	0.00	0.00	0.00	0.00	
79 Total Capital Investment	6,255.23	6,255.23	0.00	0.00	
80 Total Current Expenditures	371,809.32	2,495,634.95	5,892,704.00	42.35	
81 Total Current Revenues	126,998.40	3,503,071.50	5,850,446.00	59.88	
82 Total Current Expenditures	371,809.32	2,495,634.95	5,892,704.00	42.35	
83 Net: Current Revenues less Current Expenditures	(244,810.92)	1,007,436.55	(42,258.00)		
On September 15, 2023, the Board voted to reduce Property Tax Income and the budget deficit to be paid for with Carryforward Funds					
84 FY'24 Capital Projects funded with Carryforward	0.00	0.00	56,000.00	0.00	
85 FY'24 Capital Projects funded with CARRF	10,194.67	77,897.21	102,500.00	76.00	
	10,194.67	77,897.21	158,500.00	49.15	



Monthly Recovery Statistics: Community Library Network

4/2023 Through 3/2024

Month	Cash	Material	Waives	Total	Assets Only	Invoice Amount
March-24	\$247.90	\$1,663.21	\$47.90	\$1,959.01	\$1,911.11	\$58.25
February-24	\$45.00	\$992.05	\$235.57	\$1,272.62	\$1,037.05	\$104.85
January-24	\$45.00	\$1,291.74	\$267.59	\$1,604.33	\$1,336.74	\$209.70
December-23	\$101.00	\$1,026.09	\$27.90	\$1,154.99	\$1,127.09	\$93.20
November-23	\$62.95	\$1,113.48	\$182.20	\$1,358.63	\$1,176.43	\$93.20
October-23	\$262.94	\$1,133.88	\$169.96	\$1,566.78	\$1,396.82	\$198.05
September-23	\$156.99	\$591.27	\$24.60	\$772.86	\$748.26	\$50.00
August-23	\$291.85	\$757.60	\$226.32	\$1,275.77	\$1,049.45	\$221.35
July-23	\$82.00	\$576.68	\$15.19	\$673.87	\$658.68	\$139.80
June-23	\$40.00	\$390.80	\$69.10	\$499.90	\$430.80	\$50.00
May-23	\$60.00	\$575.65	\$0.00	\$635.65	\$635.65	\$58.25
April-23	\$107.99	\$1,697.23	\$478.98	\$2,284.20	\$1,805.22	\$50.00
Total	\$1,503.62	\$11,809.68	\$1,745.31	\$15,058.61	\$13,313.30	\$1,326.65
Average	\$125.30	\$984.14	\$145.44	\$1,254.88	\$1,109.44	\$110.55
Total ROI: \$11:1						



COMMUNITY LIBRARY NETWORK

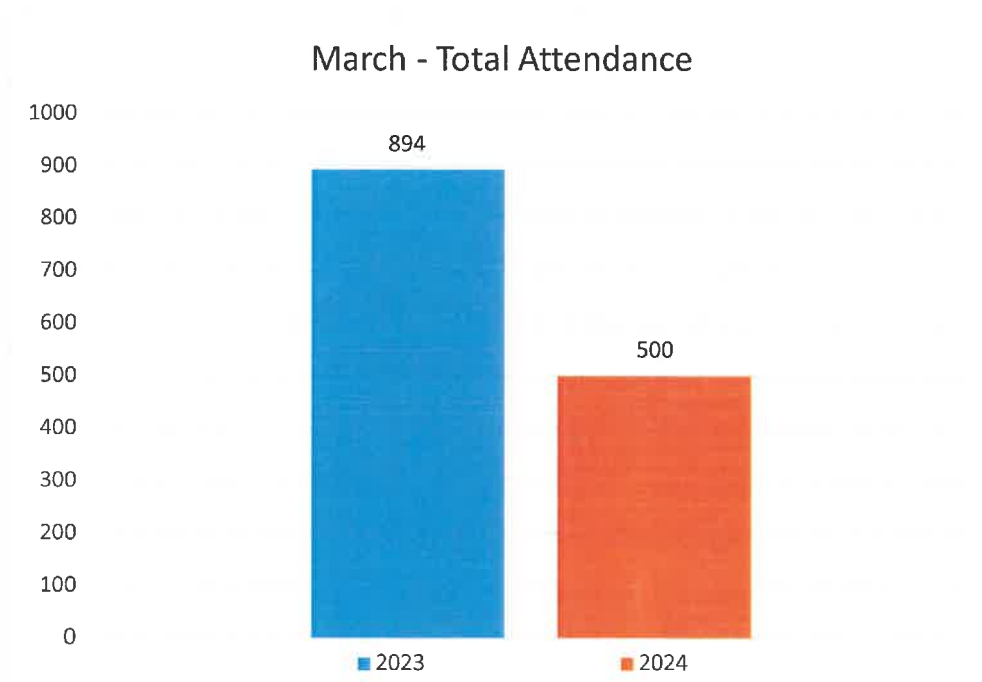
March-24

	<u>AT</u>	<u>BK</u>	<u>HR</u>	<u>HL</u>	<u>PF</u>	<u>PK</u>	<u>RA</u>	<u>SL</u>	<u>Total</u>
<u>TOTAL CIRCULATION</u>	1056	1442	2197	44929	8731	7610	13120	6193	85278
CIRC LAST YEAR	6263	3073	2220	39178	41344	7074	11677	5471	116300
YEAR TO DATE CIRC	23221	10222	12727	235634	145813	43536	69167	34239	574559
YEAR TO DATE CIRC LAST YEAR	33194	17096	12601	208594	206108	43054	63816	32524	616987
<u>PHYSICAL ITEMS CIRCULATION</u>	101	1317	1170	30763	531	3081	9291	3874	50128
CIRC LAST YEAR	4426	2988	1122	26839	29678	2962	7522	3118	78655
YEAR TO DATE CIRC	14688	9516	7010	157051	78620	16348	46715	20913	350861
YEAR TO DATE CIRC LAST YEAR	23413	16665	6822	142542	136320	16262	40706	17850	400580
<u>OVERDRIVE EBOOK DOWNLOADS</u>	271	68	74	2696	2051	214	777	112	6263
EBOOK CIRC LAST YEAR	337	46	53	2591	1976	197	735	103	6038
<u>OVERDRIVE EAUDIO DOWNLOADS</u>	350	57	83	2768	2582	307	1146	258	7551
EAUDIO CIRC LAST YEAR	450	39	46	2619	2453	204	932	221	6964
TOTAL MONTHLY CIRC	621	125	157	5464	4633	521	1923	370	13814
TOTAL MONTHLY CIRC LAST YEAR	787	85	99	5210	4429	401	1667	324	13002
YEAR TO DATE TOTAL CIRC	4023	697	703	31450	26987	2893	11387	2129	80269
YEAR TO DATE TOTAL CIRC LAST YEAR	4200	426	481	28074	25641	2241	9222	1704	71989
<u>FREEGAL USAGE</u>	0	0	0	2225	1701	2168	256	91	6441
CIRC LAST YEAR	28	0	0	1852	1177	1497	712	20	5286
YEAR TO DATE CIRC	544	9	87	14315	11670	12231	1397	319	40572
YEAR TO DATE CIRC LAST YEAR	166	5	0	9316	7573	11912	4800	2309	36081
<u>INTERNET & COMPUTER USE</u>	334	N/A	870	6477	1866	1840	1650	1858	14895
USE LAST YEAR	1022	N/A	999	5277	8414	2214	1776	2009	21711
YEAR TO DATE CIRC	3966	N/A	4927	32818	28536	12064	9668	10878	102857
YEAR TO DATE CIRC LAST YEAR	5415	N/A	5298	28662	38928	12639	9088	10661	110691
<u>MATERIALS ADDED</u>	2	8	55	721	72	158	256	77	1349
YEAR TO DATE	376	285	362	4027	2607	889	1170	518	10234
YEAR TO DATE LAST YEAR	732	443	538	4883	4285	714	1075	647	13317
<u>NEW PATRONS</u>	2	5	2	178	9	14	57	14	281
NEW PATRONS LAST YEAR	34	11	2	203	190	15	70	22	547
YEAR TO DATE	97	88	16	935	523	85	340	105	2189
YEAR TO DATE LAST YEAR	173	122	16	1009	965	86	324	127	2822
<u>NEW PATRONS (By Card Type)</u>									
ADULTS	2	1	2	124	8	14	41	6	198
MINOR	0	2	0	35	0	0	14	5	56
MINOR LIMITED	0	2	0	17	1	0	1	2	23
TEEN LIMITED	0	0	0	2	0	0	1	1	4
<u>CURRENT CARDHOLDERS</u>	2189	1517	428	13561	18997	1922	5376	1853	45843
<u>PEOPLE COUNTER</u>	264	499	1141	14493	2155	1918	4439	1975	26884
COUNTER LAST YEAR	2168	1192	434	11807	17593	2353	4615	1945	42107
YEAR TO DATE	6311	3517	5842	70708	47127	10047	23160	10836	177548
YEAR TO DATE LAST YEAR	10479	7035	2589	62166	86989	11956	24632	12511	218357
<u>MEETING ROOMS</u>									
# OF TIMES MEETING ROOM USED [LIBRARY]	0	N/A	N/A	8	1	23	12	13	57
MEETING ROOM ATTENDANCE	0	N/A	N/A	277	30	224	95	177	803
# OF TIMES MEETING ROOM USED [NON-LIBRARY]	0	N/A	N/A	34	0	2	10	1	47
MEETING ROOM ATTENDANCE	0	N/A	N/A	503	0	70	105	5	683

**April 18, 2024
Monthly Board Report
For March 2024**

Adult Programming

Month: March 2024
Coordinator Name: Marie Shockley
Department: Adult Programming



Though we had lower attendance this year than last it is important to note that we had two libraries closed and held more than 50% fewer programs in 2024. This means, our attendance per program was quite a bit higher than previous years which is a trend we hope to continue.

As part of our strategic plan, it is one of our goals to deliver unique and responsive programs driven by community needs & interests. This month AP staff worked hard to realize this goal by hosting a number of programs inspired by the needs and interests of our community members.

Bubble Tea is a novelty tea drink originating from Taiwan that has been growing in popularity across America, especially in diaspora communities. It's still rare in North Idaho, so we were excited to plan a DIY Bubble Tea program and introduce the community to this interesting food—after all, it is our mission to “Empower Discovery.” The program was a massive hit—over

124 people came through the line during the program, learning how to make Bubble Tea as well as learning about the history and science of the drink (the “bubble” of bubble tea is made out of tapioca starch, which if cooked slightly incorrectly becomes a non-Newtonian fluid. Trust me, it is very cool).

Our annual gardening series, Going to Seed, started this March with several very popular DIY workshops. Attendees at Rathdrum learned how to make cement steppingstones for their garden while members at Pinehurst learned how to make seedling pots out of old newspapers. Going to Seed will continue into April and May, with the majority of classes happening in April.

We partnered with a variety of experts this month to bring classes to all five open libraries focusing on financial literacy. Spirit Lake and Harrison both had classes on detecting and dealing with financial fraud and scams while Rathdrum hosted a class about both the practical and ethical practices of finances for caregivers. Pinehurst held two classes, one focusing on leveling up your coupon game and a second so community members could learn more about GoodRx and how it may or may not work for them and their families. Hayden held an extremely popular class about elder law and handling finances as you age.

It was exciting this month to see such a wide variety of classes and programs and have the community respond positively.

Athol

Casey Peters



Month: March 2024
Manager Name: Casey Peters
Library: Athol
Monthly Door Count: N/A
New Cards Issued: N/A
Total Circulation: 1,056
Study Room Usage: N/A
Meeting Room Usage: N/A

For most of March, Athol staff, and myself partnered with Post Falls and other libraries as needed. As manager I headed up the volunteer project for Post Falls. Athol staff as well as Post Falls staff and Youth Services helped accomplish this goal. With the great staff and team that



we have, the project went off without a hitch and we managed to get the Post Falls library packed up way ahead of schedule. Athol is starting to make progress and we look forward to the time when we can implement temporary services there.

As part of this process a portion of Athol library was boxed up and sent to Post Falls so they could start on their temporary library space. The picture is not doing it justice. I managed to pack up sixty boxes and put them all in the library van. We are all working together and trying to make as much as possible happen as soon as possible. Who knew you could fit that much in a minivan?

Bookmobile/Outreach

Karin Hall



Month: March 2024
Manager Name: Karin Hall
Department: Bookmobile and Outreach
Monthly Door Count: 499
New Cards Issued: 5 (Adult: 1, Minor: 2, Minor Limited 12: 2)
Total Circulation: 1,442

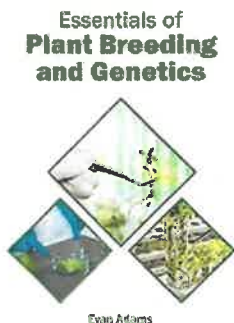
Towards the end of the March, Bookmobile staff was excited to hear "the bus" was finally fixed and in the garage after almost five long months of being in the shop. Unfortunately, that joy was short-lived as the Bookmobile still has several repair issues. Staff worked hard to empty the bus of its whole collection. Three of our staff removed seventy-nine boxes of books and weeded the collection and cleaned the remaining items.

Outreach's focus from now on will be permanently outfitting and utilizing the Sprinter for all stops in our service area, which includes schools, homebound members, and communities. We hope to have an updated schedule in April and will be adding more locations as time goes on.

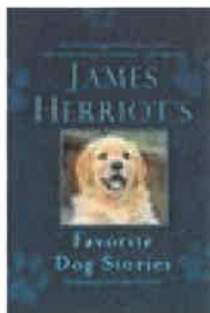
Collection Development

Month: March 2024
 Manager Name: Kari Wilson
 Department: Technical Services / Collection Development
 Items Added: 1,349
 Top Charts: Top Young Adult Fiction titles in March for each library

Athol



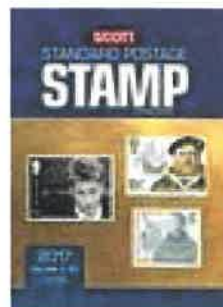
Bookmobile



Harrison



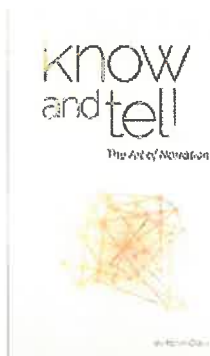
Hayden



Pinehurst



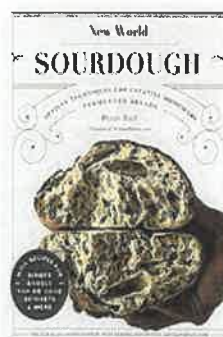
Post Falls



Rathdrum



Spirit Lake



Collection Highlight:



Members can borrow tools, games, craft gadgets, and project starters through our Library of Things collection. Need a one-time use tool? Want to explore the great outdoors? Want to try your hand at a new skill? Save money, discover talents, create joy, and satisfy your curiosity with one of the many “things” you can borrow for free with your library card.

In March, Technical Services received 342 online material requests/suggestions from members; 272 were purchased, forty-seven were submitted as Interlibrary Loans, and 23 were unable to be filled.

Media Coverage

March 8: Answer library's call for helping hands	CDA Press
March 9: CLN votes to again pursue Redman Insurance	CDA Press
March 14: Claims about Idaho 'harmful' books rooted in QAnon conspiracy theory	Spokesman Review
March 14: 'In search of a problem': Republicans butt heads over 'harmful' materials bill	Spokesman Review
March 18: Post Falls Library hosts book sale fundraiser following burst pipe damage	KXLY
March 21: Idaho librarians oppose revived materials bill	CDA Press
March 21: Idaho librarians testify in opposition to revived legislation in House	Spokesman Review
March 22: OPINION: Stop spending my money on stupid stuff!	CDA Press
March 22: OPINION: Libraries flooded with joyful support	CDA Press
March 23: CLN drops Juneteenth holiday	CDA Press
March 27: University: 'Hateful' actions in Cd'A left players shaken	CDA Press
March 27: Board thrusts dagger in woke's heart	CDA Press
March 28: As other states target libraries Inslee signs bill to protect them	Spokesman Review
March 29: Special meeting goes nowhere	CDA Press
March 29: My Turn: Librarians, parents and bounty hunters, oh my!	CDA Press
April 3: OPINION: E Pluribus Unum	CDA Press
April 4: Bill targets 'harmful materials' in Idaho libraries	CDA Press
April 4: Idaho Legislature passes bill requiring Idaho libraries move 'harmful materials'	Spokesman Review

18 news articles

Harrison

Ani Matosian



Month: March 2024
Manager Name: Ani Matosian
Library: Harrison
Monthly Door Count: 1,141
New Cards Issued: 2 adults
Total Circulation: 2,197
Study Room and Meeting Room Usage: N/A

This month's Financial literacy programs were well received by all ages. It was wonderful to see the inter-generational communication among participants. It's also very telling that our programs geared for kids turned out to be the most fun for their parents, a welcome way to unplug from their daily stress.

For a bit of levity, we stacked as many James Patterson books as would fit in the space & had patrons see how many books tall, they were. We ended the month with an impromptu tie-dye egg activity for all ages, in concert with Kootenai School's Easter Egg Hunt in the City Park. We love that our patrons send us photos of the finished products.

A staff member who is 51 books tall! Non-messy egg dying for the win!



Hayden
Nick Madsen



Month: March 2024
Manager Name: Nick Madsen
Library: Hayden
Monthly Door Count: 14,493
New Cards Issued: 203
Total Circulation: 44,929
Meeting Room Usage:
 Patron Reservations: 34
 Patron Users: 503
 Staff Reservations: 2
 Staff Users: 39
Study Room Usage: 84

Libraries offer a plethora of resources and services, many that folks do not know they can access at a library. These include business resources using Data Axle Reference Solutions to vehicle maintenance manuals using our online resource, Chilton. Another service that is invaluable to members is our proctoring service.

Many members find they need a proctored location to take a test or pass a certificate. Several turn to their local library to accommodate this need. All Community Library Network locations currently offer exam proctoring. Using an online form, members let library staff know about their exam needs and details. Staff coordinate with the community members to ensure that the requirements from the institution are observed.

In March alone, the Hayden Library saw a local professional pass several certifications for his daily employment and a high school student pass several class requirements.

Daily, the library serves our community in unexpected ways.

Pinehurst

Brenda Ludwick



Month: March 2024
Manager Name: Brenda Ludwick
Library: Pinehurst
Monthly Door Count: 1,918
New Cards Issued: 13
Total Circulation: 7,610
Meeting Room Usage: 23 times Attendance: 224 members served for library programs
2 times Attendance: 70 members for non-library programs

Pinehurst Library had been serving the students of Canyon Elementary for the past few months. We were thrilled to have them visit. It has helped them out since they made the decision last year to turn their own library space into an additional classroom. It helps us by introducing families to our library building that may not have known that we were here or may have been experiencing another barrier to service. I know from family and friends that libraries can be seen as intimidating (a barrier to service) and sometimes it helps to have a first visit with a class or organization.

Post Falls

Jennifer Craft



Month: March 2024
Manager Name: Jennifer Craft
Library: Post Falls Library
Monthly Door Count: N/A
New Cards Issued: N/A
Total Circulation: N/A
Study Room Usage: 0 uses; 0 attendees
Meeting Room usage: 2 reservations; 900 attendees (two-day book sale on March 15 and 16)

During March 2024, in preparation for demolition and reconstruction of the facility, staff from Post Falls and other district libraries, along with several volunteers, worked hard to box the entire Post Falls Library collection for offsite storage. Packing was completed on March 27, 2024.

Karen Yother and Casey Peters coordinated staff and volunteers to help the Friends of the Post Falls Library group host a very successful two-day book sale on March 15 and 16. 900 people of all ages attended the sale that raised over \$5,800 in sales and donations to support the library.



Rathdrum

Karin Hall (Interim Manager)



Month: March 2024
Manager Name: Karin Hall
Library: Rathdrum
Monthly Door Count: 4,439
New Cards Issued: 55 (Adult:39, Minor :14, MinorLimited12: 1, MinorLimited15: 1)
Total Circulation: 13,120
Study Room Usage: 62
Meeting Room Usage: Total programs: 22 (12 library programs, 10 non-library programs)
Total attendees: 200 (95 library program attendees, 105 non-library program attendees)

Rathdrum continues to be busy, due to the temporary closures of Post Falls and Athol Libraries. The number of book requests we get for members continues to grow, our program attendance is up, and we've been getting lots of good feedback about our little library! We've been helping a lot of people with computer questions, including seniors and tax help. Our library programs have been popular. People are especially excited about the upcoming "Going to Seed" programs.

Spirit Lake

Carol Ferguson



Month: March 2024
Manager Name: Carol Ferguson
Library: Spirit Lake Library
Monthly Door Count: 1,975
New Cards Issued: 5
Total Circulation: 6,193
Study Room Usage: 12
Meeting Room Usage: 12

We have been busy printing out 3d prints. One patron requested containers to start seeds.

Every month I attend our local chamber meeting. This month, we had a guest who was gathering information for the city. They touched on long term goals for five or ten years for the city. We discussed our continued problem with water and sewer.

This month we had our local bank (First Interstate Bank) come down and discuss identity theft. He gave tips on how to protect personal information and how to recognize "Phishing" on your account.



Youth Services

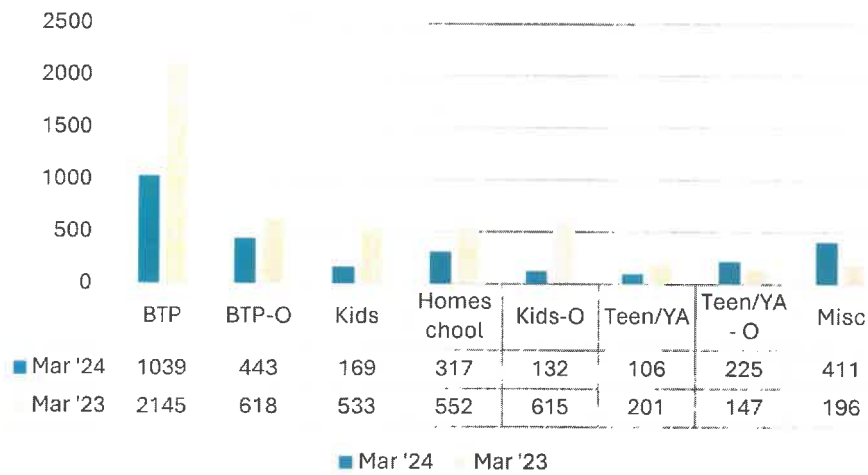
Month: March 2024

Coordinator Name: Karen Yother

Department: Youth Services

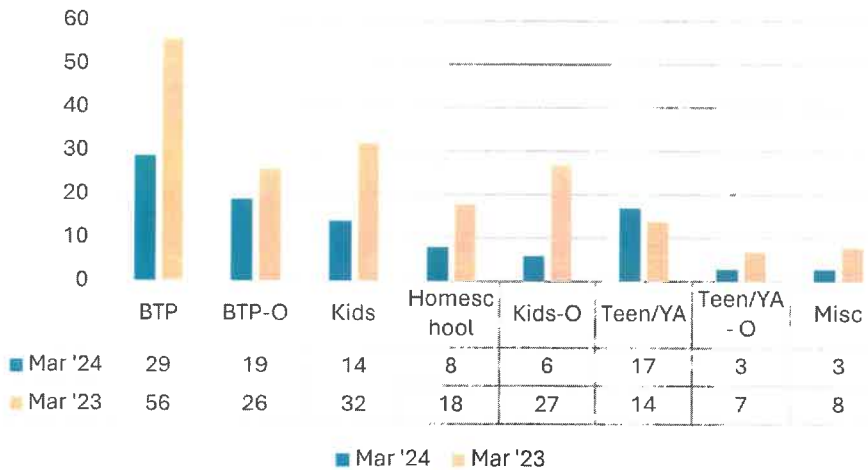
Karen Yother, Youth Services Coordinator

March Attendance



This month we saw a decrease in attendance of 43% compared to this month last year.

March # programs



We had a 47% decrease in the number of programs offered in March compared to this month last year.

This month we hosted "Teen Money Management" as part of Financial Literacy month. Local experts from Idaho Central Credit Union, P1FCU, and US Bank led the presentations, and

answered a variety of questions. Teens learned about saving, spending, opportunity cost, and the difference between a budget and a spending plan.

Homeschool students participated in 3D printing and were challenged to design keychains using holes and embedded shapes. YS staff collaborated with Adult programming staff to print the students' designs. Ninety-four students attended and participated in this program.

One of our staff represented the Youth Services department earlier this month when KXLY wanted to hear how the library closures were impacting staff and the community. She did an outstanding job explaining the importance of libraries and how we are working to continue service during the closure.

Library staff assisted the Friends of the Post Falls Library with their Book Sale. It was a whirlwind two days and thousands of books were sold to eager community members. It was wonderful to have people back in the building and to hear how much they had missed the library.

Summer planning is nearly finished, and the YS team has developed a tremendous schedule for children, teens, and families. We are looking forward to an engaging and fun summer.

Staff participated in the Suessational Celebration at John Brown Elementary. Over 350 people visited their booth, with many familiar faces excited to see the library at their school event. A great opportunity for library staff to talk about library services.

Youth Services staff attended the Idaho Commission for Libraries Summer Learning workshop and learned about the research for why summer is so important to kids, and discussed programming, community partnerships, and marketing. It was a chance for them to talk with other librarians from around north Idaho.

ICFL summer workshop



1. Teen Financial Literacy workshop, Harrison
2. Library staff at the Suessational Celebration, John Brown Elementary School

Media Coverage

March 8: Answer library's call for helping hands	CDA Press
March 9: CLN votes to again pursue Redman Insurance	CDA Press
March 14: Claims about Idaho 'harmful' books rooted in QAnon conspiracy theory	Spokesman Review
March 14: 'In search of a problem': Republicans butt heads over 'harmful' materials bill	Spokesman Review
March 18: Post Falls Library hosts book sale fundraiser following burst pipe damage	KXLY
March 21: Idaho librarians oppose revived materials bill	CDA Press
March 21: Idaho librarians testify in opposition to revived legislation in House	Spokesman Review
March 22: OPINION: Stop spending my money on stupid stuff!	CDA Press
March 22: OPINION: Libraries flooded with joyful support	CDA Press
March 23: CLN drops Juneteenth holiday	CDA Press
March 27: University: 'Hateful' actions in Cd'A left players shaken	CDA Press
March 27: Board thrusts dagger in woke's heart	CDA Press
March 28: As other states target libraries Inslee signs bill to protect them	Spokesman Review
March 29: Special meeting goes nowhere	CDA Press
March 29: My Turn: Librarians, parents and bounty hunters, oh my!	CDA Press
April 3: OPINION: E Pluribus Unum	CDA Press
April 4: Bill targets 'harmful materials' in Idaho libraries	CDA Press
April 4: Idaho Legislature passes bill requiring Idaho libraries move 'harmful materials'	Spokesman Review

Editorial

Answer library's call for helping hands

Pitching in is what good neighbors do. To wit: In a book of local photos published by The Press in 2004, one of the images was particularly moving. And we mean that literally.

The photo from 1900, courtesy of Tom A. Feely, showed neighbors and their teams of horses pulling a barn across the frozen Rathdrum Prairie. The move was facilitated by sleds snugged between the barn and snow-blanketed soil.

We need to pitch in now to move a barn-load of books on that pristine prairie.

Suffering massive damage from a winter storm and flooding earlier this year, the Post Falls Library faces months of rehab. Some of that work is going to cost a bunch of money, which will be assisted largely by insurance coverage that the Community Library Network's trustee majority has risked with an astonishing lack of wisdom. But that's a story for another day.

Today, it's about pitching in, not criticizing. And that's why this appeal has arrived before your eyes. Whether you live in Post Falls or not, patronize that library, another or none at all — doesn't matter. Help is welcome in many forms from any quarter.

One of the arduous, exceedingly important tasks is boxing up and moving the Post Falls Library collection. Work is expected to begin soon. If you have some time and good intent, please offer your services to assist library staff in this endeavor. Contact information is included at the end of this editorial.

Some of you don't have time to help. Maybe you'd like to but aren't physically able. There's another way you can pitch in — and do so in a critical way. Support the library with a monetary donation.

Library officials say about 7,100 items were destroyed in the flooding. They need to be replaced. Tax-deductible gifts of any size to the library foundation will help ensure that once the library opens — still months away, alas — it will be robustly stocked with the books, CDs and DVDs patrons love to borrow.

Can you help move this community treasure forward? If so, please call 208-773-1506 or email: postfalls@communitylibrary.net

CLN votes to again pursue Redman Insurance

Job descriptions, staff-utilization plan among tasks for director

By DEVIN WEEKS
Staff Writer

The board majority plowed through several motions Wednesday during a special meeting of Community Library Network trustees at the Hayden Library, where the board chair had two



Hanley

Library Director Alexa Eccles to submit an application for full coverage to Redman Insurance by Thursday, with quotes from

attendees removed for behavior she considered to be disruptive.

Absent Trustee Vanessa Robinson, Chair Rachelle Ottosen, Vice Chair Tom Hanley and Trustee Tim Plass were lockstep as they approved a motion for

at least two companies; for the director to provide interested board members with paper copies of all CLN staff position descriptions by the April 18 regular meeting; and for the director to provide the board with a “reasonably detailed staff utilization plan” for staff normally assigned to the Athol and Post Falls libraries, which are presently closed due to water damage that occurred during freezing weather in January.

See CLN, A6

CLN

from A1

All motions were made by Hanley, who referred to a prepared statement several times during the meeting. Trustee Katie Blank voted against each motion.

"I would prefer to start fresh and put out a public notice for a proposal and be very transparent and this motion is unclear to me if I am going to need to use Redman Insurance, or whether I can move forward in the way that I feel most equitable with documented, transparent criteria," Eccles said after the motion was made to continue pursuing Redman Insurance.

The CLN board majority previously approved a motion to hire Redman Insurance with quotes from Wright Specialty Insurance and American Family Insurance, only for the offer to be declined due to current

unresolved claims.

Hanley said he's pushing for Redman because the previous paperwork is nearly completed and it shouldn't be as "big of a lift."

"Months ago I heard — again, I have no knowledge of Redman personally at all — it was a good price, I heard, I think we were down in Harrison when I heard that," he said.

He said, from what he understood, Redman offered full coverage, where the network's current insurer, Idaho Counties Risk Management Program, has cut back significantly on its coverage of the library network.

Eccles has previously stated the network is fully covered under its current plans through Sept. 30.



Ottosen



Eccles

During Wednesday's meeting, Eccles said she has many concerns regarding this process, about which the board hasn't allowed any conversation for these concerns to be addressed.

She strongly encouraged the board to stop acting recklessly by not allowing the director and other board members to receive legal advice.

"I've heard criticism of the board that we act recklessly too many times from someone who, apparently, seems to forget she works for us," Hanley responded.

This sparked a vocal reaction from the audience. Ottosen had two attendees removed by law enforcement after she had addressed them earlier in the meeting for being disruptive.

"I think this is a violation of First Amendment rights," Blank said. "I was not disrupted at all and I didn't hear anybody else making any complaints. I think asking again is one

thing, but I think that you're stepping into a very troublesome situation for this board."

Ottosen said she didn't want to call the cops, but was forced to as the two attendees would not leave on their own.

"If you refuse to leave then that's our next option because we can't conduct business," Ottosen said. "That's kind of the point of why we're here."

Also during the meeting, Hanley made a motion to begin an immediate six-month employment hiring freeze with exceptions made only by the board.

"Is that legal?" Blank asked. The motion was determined to not be compliant with Idaho's open meeting law as it was outside the scope of topics listed on the meeting's agenda.

The next regular meeting of the Community Library Network's board will be from 2 to 5:30 p.m. March 21 at the Hayden Library.

Claims about Idaho 'harmful' books rooted in QAnon conspiracy theory

Librarians call for reasoned debate, compromise

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DARIN OSWALD/IDAHO STATESMAN When Isabella Burgess started her career as an associate librarian with the Meridian Library District, she had no idea that she would later be testifying in front of an Idaho legislative committee to secure her livelihood. “I think the problems they are mentioning don’t exist,” she said.

BY IAN MAX STEVENSON IDAHO STATESMAN

BOISE – Pedophilia. Child sex trafficking.
Increased child molestation.

Arguments in favor of an Idaho bill to
restrict obscene library material to

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Several supporters of a bill to allow lawsuits against libraries in public hearings have cited unfounded concerns about sex traffickers who “condition” children through books or the availability of explicit material at libraries increasing the likelihood of pedophilia, “rape, murder and child molestation.” Sociologists told the Idaho Statesman they recognized where they’d heard these false claims about libraries before – in a conspiracy theory about child sex trafficking, linked to formerly fringe credos on the right that have become mainstream in recent years.

George Lundskow, a sociology professor who studies conspiracy theories at Grand Valley State University, said some of the claims mirrored aspects of the conspiracy theory QAnon, developed in 2017, which dictates that a satanic cabal of world leaders is conspiring to harm and traffic children, and that former President Donald Trump has been working to stop them. QAnon became mainstream on the right in recent years, Lundskow said, and is now “widely accepted.”

Lundskow said the latest conspiracy theories about LGBTQ+ people grooming children to either become gay or transgender themselves, or become objects of exploitation, “is descended from that long line of conspiracies.”

Another sociologist who studies conspiracy theories, Christopher Conner of the University of Missouri, Columbia, told the Statesman that conspiracies about LGBTQ+ people have grown as their visibility has increased.

“There’s this fear of ... how do these people fit in?” Conner said. “All that’s really happening is people are starting to realize that gay people exist.”

House Bill 710, the latest version of the bill, would allow parents and community members to sue libraries – including private school libraries – for unlimited civil damages if they believe a library or school board erred in deciding that a book wasn’t harmful. Lawsuits would be allowed 30 days after a person files written notice with the library asking that they move a book to an adult-only section.

The bill draws on Idaho’s obscenity laws and incorporates the Miller test, a legal standard to determine what materials are obscene. That includes

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prevailing standards in the adult community.” The state’s obscenity law exempts books with literary or educational value.

Librarians and library supporters at a Monday public hearing called the effort a “bounty” bill that would incentivize libraries to remove materials that do not meet the Miller test’s standards because of the financial threat, and could require libraries to renovate their buildings to create restricted areas for adults.

“It seems to be trying to raise a specter of fear in what is one of our few shared democratic spaces,” Jenny Emery Davidson, executive director of the Community Library in Ketchum, said at the public hearing.

At hearings earlier this year, some proponents of limiting access to books at libraries repeated claims that “harmful” materials available to children at libraries could make them more vulnerable – or more likely to become – sex offenders.

“These books act in concert with sex traffickers intending to sexualize children, making it easier for children to be victimized,” regardless of the authors’ intent, Karen Jensen, a supporter of the bill, said at a hearing. She added that sex traffickers “condition” children with pornography to make them more compliant. Jensen could not be reached for comment.

Rep. Jaron Crane, R-Nampa, told the Statesman by phone that “everybody has a reason for which they arrive at the position they hold.” He said his bill is necessary because library staff have refused to comply with repeated complaints from residents about books they want removed from libraries. Libraries that don’t have materials like these have nothing to worry about, he added.

He said that patrons who want to sue libraries will risk paying all legal fees if they lose and that his bill does not ban books.

“They can have the material, just relocate it,” he said.

National groups target library books

Some arguments across the country in favor of banning LGBTQ+-themed books have been rooted in the same conspiracy theories.

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identified at least 50 groups around the country pushing to censor or ban books in libraries. The organization's director, Jonathan Friedman, told the New York Times in 2021 that "there's definitely some kind of QAnon element taking place here."

Of the eight supporters of the bill who spoke at a January hearing, six mentioned unfounded concerns about pedophilia or child sex trafficking. Rachele Ottosen, chair of a North Idaho library district board, said she feared that libraries promote prostitution, pedophilia and bestiality.

"We're talking about the sexual exploitation of minors through sexually explicit, obscene materials that are in libraries and schools in Idaho," another supporter of the bill, Nina Beesley, told the legislative committee, claiming that "rape, murder and child molestation" increase in areas with such materials. Beesley pointed the Statesman in an email to a booklet on the harms of pornography produced by United Families International, an anti-gay organization based in Arizona.

Jacquelyn Davidson, a Republican precinct committeewoman for the Ada County GOP, said she's seen books that promote "homosexuality and gender dysphoria." Davidson did not respond to a request for comment.

Lundskow said it may well be true that graphic sexual depictions can harm children, but he doesn't think anyone on either side of the debate wants children to view that kind of media.

"The argument might be over what counts as sexually explicit," Lundskow said. "If you tell a story that has a gay character in it, is that sexually explicit?"

A Meridian librarian, Isabella Burgess, challenged the notion that libraries give children books that harm them.

"The problems that they are mentioning don't exist, and that's why I did not expect to have to testify in front of a House committee to secure my livelihood," Burgess said, noting that librarians recommend books to patrons if they're asked.

Crane, who co-sponsored the bill, told lawmakers last month that proponents who fear negative impacts from these materials should also be

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“One side may want certain materials in the library, and the other side may not,” Crane said. “Both are taxpayers, both have a vested interest in the materials at the library, both have different worldviews. What we have to do is compromise.”

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‘In search of a problem’: Republicans butt heads over ‘harmful’ materials bill

Similar efforts in past 2 years have so far failed

BY IAN MAX STEVENSON IDAHO STATESMAN

The House on Wednesday passed a controversial bill to restrict materials children can view at libraries, the fourth iteration this year of a bill to crack down on books that Republicans deem are “harmful” to minors.

Proponents of the bill, House Bill 710, have argued it’ll keep graphic sexual books out of the hands of children, while opponents have said those books already aren’t placed in children’s sections and that the threat of lawsuits could lead libraries to remove any challenged material from their shelves.

The bill allows community members to file written requests to remove materials from a library’s shelves. The library or its board would then have 30 days to move the material, after which the community member could file a lawsuit for \$250 in fines plus unlimited “actual damages.”

The bill draws on Idaho’s obscenity laws and incorporates the Miller test, a legal standard to determine what materials are obscene. That includes

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average person” and that depict sexual activity “patently offensive to the prevailing standards in the adult community.” The state’s obscenity law exempts books with literary or educational value.

“What this bill actually is is codifying a relocation policy ... that they are all going to follow,” Rep. Jaron Crane, R-Nampa, who sponsored the bill, told House lawmakers, noting that not all libraries have such policies in place now. The bill would apply to public and school libraries.

Testimony in support of restricting “harmful” materials in recent weeks has been linked by sociologists to conspiracy theories like QAnon and has also focused on forbidding books that feature LGBTQ+ characters or themes.

One testifier said her child had seen a film cover that displayed “two men kissing,” which she thought the library should remove from public view. When asked by an Idaho Statesman reporter whether he thought such materials should be taken off of shelves visible to children, Crane said he didn’t know.

“She has every right to ask that it be moved,,” he said. “There’s nothing wrong with her requesting that.”

Efforts in the past two years to crack down on library materials available to children have so far failed. Earlier this year, Crane and Sen. Geoff Schroeder, R-Mountain Home, separately introduced bills related to library materials. The two lawmakers then worked together on a new bill, which failed in the Senate last month by one vote.

Last year, Gov. Brad Little vetoed a similar bill that would have let parents claim damages over library materials their children were exposed to. Another bill that would have removed an exemption that librarians get from prosecution for disseminating “harmful” materials to minors failed to become law in 2022. That law would have allowed librarians who provide the materials to be jailed.

Lawmakers debate ‘harmful’ materials in libraries

In a fiery debate on the House floor, Republican lawmakers argued over whether the bill addresses a real problem.

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sheriff's efforts last year to check out and refuse to return books he thought were inappropriate for children. Two of the books he objected to were a sex education book and a young adult novel about a girl who experiences sexual abuse and other struggles, according to The Spokesman-Review.

Rep. Lori McCann, R-Lewiston, said she has talked to librarians in her district who said they have had few to no book challenges in the last quarter century. She voted against the bill.

Rep. Kenny Wroten, R-Nampa, also said the problem is overblown. The legislation makes it seem "like it's an epidemic here in Idaho," he said, but most libraries already have review processes in place and rarely have issues.

"It's a bill and legislation in search of a problem," he added, calling the \$250 rewards an "enticement."

In testimony at hearings this year, several librarians have told lawmakers that pornography is not available to children at Idaho libraries.

Rep. Brent Crane, R-Nampa, threatened other lawmakers that if his younger brother's bill didn't pass, he would bring back a previous bill to allow prosecution of librarians. He and Wroten - who represent the same district - exchanged heated words on the House floor, after which Crane asked the House to take a break.

"You better pick which one you like," Brent Crane said on the floor, adding that a parent in his district filmed their 15-year-old daughter who was allowed to check out books that violate the state's obscenity law. "To say that this does not exist in Idaho libraries is patently false."

Rep. Chris Mathias, D-Boise, said in written testimony that he believes the law violates the Equal Protection clause of the 14th Amendment because the state's obscenity law, which dates from the 1970s, mentions "any act of ... homosexuality" and "sexual conduct" generally, but does not mention "any act of heterosexuality." Mathias said that distinction creates a sexbased classification that targets gay sexuality and could violate constitutional rights.

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https://www.kxly.com/news/post-falls-library-hosts-book-sale-fundraiser-following-burst-pipe-damage/article_5e5ecfb2-e333-11ee-8c55-736953fec5c5.html

Post Falls Library hosts book sale fundraiser following burst pipe damage

Maryssa Rillo

Mar 15, 2024



POST FALLS, ID. — Today, the Post Falls library hosted a book sale fundraiser following extensive damage it suffered during January's cold snap.

The fundraiser was called 'Friends of the Library Book Sale,' and all the proceeds went towards helping out the library.

Crowds of people showed up to support, many people telling 4 news now they miss their local library.

"We're here to support the community and get some new books for our daughter so she can grow as a person," Kannon Hulburt, one local dad said.

And buying those new books, were a steal. All books were 5-cents, or if you brought a bag, you could stuff it with as many books as possible for only \$5.

That's exactly what Kanon and his family did today...They told us what this library means to them and to so many other local families:

"It's a really good place for people to go if they don't have access to books, or if they need something to do and they can't afford to go many other places. It's a good place to meet other families with young children and other families that value knowledge and stuff like that," Bronwyn Barry, one local mom said.

The library also had a donations container.

While the library is likely to remain closed until at least summer, they still hope to host summer reading, and other activities outdoors. The money raised in the book sale will fund those programs. It will also go towards buying new books.

"We have been touched by the outpouring support from the community, and we're just thrilled that we're able to work together and see the love that's coming from them," Lindsey Miller-Escarfuller, the Assistant Director at Community Library Network said.

Lindsey said so many people have called in to volunteer, so as of now, they don't need anymore.

She said they are now nearing the start of demolition and construction.

Today's book sale was in collaboration with Friends of the Library a non-profit that supports library programs. There will be another book sale fundraiser tomorrow from 10 a.m. to 2 p.m.

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Drivers With No Tickets In 3 Years Should Do This On March

Maryssa Rillo

Reporter

Idaho librarians oppose revived materials bill

By MIA MALDONADO
Idaho Capital Sun

BOISE — Thirty people, including library staff, board members and patrons testified in person and virtually at a Senate State Affairs Committee hearing Wednesday morning to voice their opinions on the Legislature's most recent library bill — House Bill 710.

However, the committee did not vote on any motion related to the bill because of time constraints. Committee chairman Sen. Jim Guthrie, R-McCammon, said the committee will continue its discussion at a later time.

An affirmative vote in the committee would secure the bill a spot on the Senate floor, making the bill one step closer to becoming law after it passed the Idaho House of Representatives last week in a 47-23 vote.

House Bill 710 is an amended version of a previous bill introduced earlier this year. The bill would rely on Idaho's existing definition of materials harmful to minors, which includes "any act of ... homosexuality" under its definition of sexual conduct.

It would require libraries to have a form for people to request review of materials.

The bill grants county prosecuting attorneys or the attorney general the authority to seek injunctive relief against schools or public libraries found violating the law on promoting, giving or making available material deemed harmful to minors.

See MATERIALS, A4

MATERIALS

from A1

Sen. Cindy Carlson, R-Riggins, the sponsor of the bill, said she believes the bill is a great solution.

"Parents and citizens of the state of Idaho and the rest of the country are angry and want access to this harmful material to children be removed," she said.

House Bill 710 was the only piece of legislation on the committee's agenda Wednesday morning, and public testimony took nearly all two hours of the committee's allotted time.

Most of the librarians who testified said the legislation is confusing, unnecessary and demoralizing to their professions. Many said this year marks the third year they have had to testify in opposition to a library bill, and they expressed frustration

that the bill is targeting the LGBTQ+ community under its definition of materials harmful to minors.

Megan Cafferty, a Meridian librarian, said her main concern was the costs that this bill would create for Idaho libraries, noting that the \$250 fine in damages would disproportionately hurt small libraries, and requiring an adults-only section would create challenges for libraries with limited staff and space in their building.

"Currently, we are having issues even retaining our current staff because we can't compete with the rising cost of living," she said. "We can't afford to live in the city where we work. I personally can't have a studio apartment and afford to eat in Meridian, so we definitely can't afford to remodel and add all of these extra costs."

Huda Shalry, a Boise librarian and the

legislative co-chair for the Idaho Librarian Association, said that library-related legislation has created challenges in her career. But for each negative encounter, she said she experiences hundreds of positive interactions with library patrons.

"Every week, somebody has thanked me for the existence of libraries and what we do and the resources that we provide the tech support, the printing, helping people find a home or escape their domestic violence situation," she said. "This is what we do. This is what I was trained to do."

Grace Howat, a representative for the conservative organization, Idaho Family Policy Center, was the only person to testify in favor of the legislation. In her testimony, she said the policy center is excited to support the bill as it

would protect children.

Recap of library bills during 2024 session

House Bill 710 was brought to the Legislature after the Idaho Senate rejected Senate Bill 1289, a combination of previous legislation brought by Rep. Jaron Crane, R-Nampa, and Sen. Geoff Schroeder, R-Mountain Home.

At least four bills have been brought to the Idaho Legislature to regulate library materials for minors, including:

- House Bill 384, which would have allowed library patrons to sue libraries if they provide "harmful materials" to minors. It would have also created a policy that requires community members fill out a written notice asking libraries to relocate a library item that they deem "harmful" to an adults only section. If a library failed to relocate the item within 30 days,

then one could have sued the library for \$250, as well as "actual damages and any other relief."

- Senate Bill 1221, which would have required school boards establish a "library materials review committee," or a group of parents, educators and administrators who review requests for reconsideration of school library items, the Idaho Capital Sun previously reported. It did not advance to a hearing.

- Senate Bill 1289, which, according to bill sponsors, combined House Bill 384 and Senate Bill 1221. It died in an 18-17 vote in the Senate, the Sun previously reported.

- House Bill 710, an amended version of House Bill 384.

While regulating library materials is at the top of the agenda for some Republican legislators, a Boise State University survey showed that

most Idahoans trust library staff with book selection. According to the university's ninth annual Idaho Public Policy Survey, 69% of respondents said they trust library staff with book selection, while 23% of Idahoans said they do not trust libraries and library staff.

At the end of the committee hearing Monday, Senate President Pro Tempore Chuck Winder, R-Boise, addressed the librarians in the room, some of whom came from Idaho Falls, Ketchum and across the Treasure Valley.

"Please don't think this is out of disrespect to any of you as librarians, any of you as teachers," Winder said. "That's not what this is about. We've got parents that have concerns we're trying to deal with, and remember, our Constitution is set up to protect the minority, not the majority."

Idaho librarians testify in opposition to revived legislation in House

Fourth bill proposed in Legislature to control materials

BY MIA MALDONADO IDAHO CAPITAL SUN

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Many said this year marks the third year they have had to testify in opposition to a library bill, and they expressed frustration that the bill is targeting the LGBTQ+ community under its definition of materials harmful to minors.

Megan Cafferty, a Meridian librarian, said her main concern was the costs that this bill would create for Idaho libraries, noting that the \$250 fine in damages would disproportionately hurt small libraries, and requiring an adults-only section would create challenges for libraries with limited staff and space in their building.

“Currently we are having issues even retaining our current staff because we can’t compete with the rising cost of living,” she said. “We can’t afford to live in the city where we work. I personally can’t have a studio apartment and afford to eat in Meridian, so we definitely can’t afford to remodel and add all of these extra costs.”

Huda Shaltry, a Boise librarian and the legislative co-chair for the Idaho Librarian Association, said that library-related legislation has created challenges in her career.

But for each negative encounter, she said she experiences hundreds of positive interactions with library patrons.

“Every week somebody has thanked me for the existence of libraries and what we do and the resources that we provide the tech support, the printing, helping people find a home or escape their domestic violence situation,” she said. “This is what we do. This is what I was trained to do.”

Grace Howat, a representative for the conservative organization, Idaho Family Policy Center, was the only person to testify in favor of the legislation.

In her testimony, she said the policy center is excited to support the bill as it would protect children.

Recap of library bills during 2024 session

House Bill 710 was brought to the Legislature after the Idaho Senate rejected Senate Bill 1289, a combination of previous legislation brought by Rep. Jaron Crane, R-Nampa, and Sen. Geoff Schroeder, R-Mountain Home.

At least four bills have been brought to the Idaho Legislature to regulate library materials for minors, including:

- House Bill 384, which would have allowed library patrons to sue libraries if they provide “harmful materials” to minors. It would have also created a policy that requires community members fill out a written notice asking libraries to relocate a library item that they deem “harmful” to an adult’s only section. If a library failed to relocate the item within 30 days, then one could have sued the library for \$250, as well as “actual damages and any other relief.”
- Senate Bill 1221, which would have required school boards establish a “library materials review committee,” or a group of parents, educators and administrators who review requests for reconsideration of school library items, the Idaho Capital Sun previously reported. It did not advance to a hearing.
- Senate Bill 1289, which according to bill sponsors, combined House Bill 384 and Senate Bill 1221. It died in a 18–17 vote in the Senate, the Sun previously reported.

- House Bill 710, an amended version of House Bill 384. While regulating library materials is at the top of the agenda for some Republican legislators, a Boise State University survey showed that most Idahoans trust library staff with book selection. According to the university's ninth annual Idaho Public Policy Survey, 69% of respondents said they trust library staff with book selection, while 23% of Idahoans said they do not trust libraries and library staff.

At the end of the committee hearing Monday, Senate President Pro Tempore Chuck Winder, R-Boise, addressed the librarians in the room, some of whom came from Idaho Falls, Ketchum and across the Treasure Valley.

“Please don't think this is out of disrespect to any of you as librarians, any of you as teachers,” Winder said. “That's not what this is about. We've got parents that have concerns we're trying to deal with, and remember, our Constitution is set up to protect the minority, not the majority.”

OPINION: Stop spending my money on stupid stuff!

Twenty years ago, Kootenai County was a place where elected officials guarded taxpayers' dollars like the gold in Fort Knox. We protected our public assets and knew we shouldn't spend recklessly.

Local elected leaders begrudgingly opened the taxpayer coffers but only after much deliberation and thought. Back then, leaders used common sense and always remembered the taxpayers were on a budget.

Those days are long gone. You only need to look to North Idaho College and the Community Library Network as proof of what's gone wrong.

Today, a new wave of big government, big spenders are burning



Marc Stewart

through our money like drunken sailors on shore leave. They have the audacity to call themselves conservative Republicans.

Who is to blame

for this mess? Unfortunately, we need to look in the mirror.

Most of us are busy raising families, working hard to keep food on the table, and dealing with life's many challenges. You may have found politics to be too negative and avoided local political conversations. Along the way we failed to notice what was happening to our community.

The truth is our local Republican Party quietly changed over the

last 10 years. Kootenai County Republican Central Committee began endorsing candidates who ultimately have been reckless and irresponsible with taxpayer dollars.

We're seeing the bills come due. Take North Idaho College. For instance, the questionable financial decisions made by trustees Banducci, MacKenzie and Waggoner at North Idaho College are troubling. They're spending taxpayer money recklessly without considering the long-term consequences for the school or our finances. It's not just a concern about the college's reputation, which remains strong, but rather whether it can remain open if trustees continue their current spending habits.

See STEWART, A6

STEWART

from A5

They simply don't care about your money. If they did, we wouldn't be paying for two college presidents, two attorneys at \$400 an hour, millions more in expenses to play in a more prestigious athletic conference.

The college is having to pay higher insurance premiums due to trustees' overall incompetence. They've lost every lawsuit due to bad legal advice. They wanted to write a

\$1.3 million check to a former college employee before their own internal investigation was finished. Yikes.

They don't care. Full spend ahead.

The Community Library Network is following the same path to financial ruin. Some accuse several of the current trustees of wanting to burn books. I see them burning through our money and being forced to close libraries because they'll be broke.

This year one North Idaho legislator wanted

to expand government to create the Office of Election Crimes. The purpose: to investigate and prosecute election and voter fraud. This is stupid. The Idaho Secretary of State and the Idaho Attorney General are handling these things already. We don't need to expand the swamp, sending more of your money out the door.

This nonsense needs to stop. Voters have the power to replace the leadership of the Kootenai County Republican Central Committee in the May 21 primary.

The KCRCC pretends to be guardians of conservatism, but the rhetoric doesn't align with the financial bottom line.

As a frustrated taxpayer witnessing wasteful spending, I've had enough of the chaos in the KCRCC. I'm grateful for an opportunity for change that doesn't require waiting until the November general election or resorting to a recall election.

Instead of waiting, we can make a difference sooner by focusing on the upcoming precinct

races in Kootenai County. In almost every precinct, there's a choice to elect a Precinct Committeeman, a position with significant influence over local governance. This May is a referendum on Republican values, like out-of-control spending, overall incompetence and making government bigger.

Rather than passively enduring incompetence, we can actively shape our community's future by engaging in these races. By voting early through the absentee

ballot system provided by Idaho Secretary of State Phil McGrane at www.IdahoVotes.Gov, we can ensure our voices are heard.

Do your research and find out who the KCRCC incumbents are and vote them out. The precinct race is the most important race this May.

• • •

Marc Stewart is a longtime Coeur d'Alene resident and a fiscally responsible adult. He is running for Kootenai County Republican Precinct Committee #405 around the Centennial Place neighborhood.

Libraries flooded with joyful support

(Athol and Post Falls libraries have been closed to the public since mid-January's burst pipes caused major water damage to the buildings and collections.)

In mid-March, hundreds of people showed enthusiastic support for the Community Library Network. At a special book sale hosted by the Friends of the Post Falls Library, volunteers

OPINION



Pat Ratfee
My Turn

packed and unpacked boxes, set up and assisted with displays, helped people find books at a bargain price, accepted payment and donations and helped patrons load bags of books into their vehicles.

The optimism among the crowds of bargain hunters was palpable and contagious both days. A few times, when crowds were greater than the sale room could hold, people patiently waited in line under the pergola. As they chatted in the spring sunshine, or exchanged hugs, just being together at a library event felt like a celebration.

Almost 900 patrons visited during the sale days. Proceeds totaled \$3,458, and another \$2,312 was donated by eager-to-help community members.

Karen Yother, Youth Services manager, headed up the Giving Campaign for the damaged libraries. She arranged for the Friends of the Post Falls Library to accept payments and donations. Athol manager Casey Peters coordinated the volunteers who had contacted the library to offer their help. Casey created an "epic spreadsheet of 130 volunteers with 50 alternates" on the waiting list. Everything was superbly well organized, which added to the joy.

Assistant CLN Director Lindsey Miller-Escarfeller described how the book sale fit into the multi-stage repair project. She said the day before the sale, March 13, was the first of an anticipated five dates for a truckload of materials to be moved by Lake Coeur d'Alene Movers. Their owner had come to the Post Falls Library as a kid and insisted on donating his time and equipment, plus that of his four-man crew, which is the equivalent of a \$75,000 donation; CLN is paying for gas. These professionals will return the approximately 63,000 items to Post Falls or Athol once facility repairs are complete.

The moved library materials will be stored in a climate-controlled facility, to safeguard them from construction debris. Owners of CdA Tech Center have discounted their rental fee below market rates, in effect creating a

See MY TURN, C2

MY TURN from C1

donation of about another \$75,000 over the renovation period (which may last up to six months). Some CLN staff who usually work in the Post Falls Library will also temporarily work in the CdA Tech Center location while demolition and repairs are underway.

During the book sale, members of the public asked many questions about future plans.

Storytime attendance

has greatly increased in Hayden and Rathdrum libraries with some groups having 75 to 100 attendees! The staff is managing well with the larger groups and the kids seem as riveted as they always do. CLN staff will deliver more summer reading programs at parks and schools this year. And yes, the Friends of the Hayden Library will host their Book Sale on April 26 and 27.

Lindsey said staff teamwork is high because they always focus on doing whatever best serves the public.

She smilingly added that staff are increasing their patience with ambiguity through this period. Her eyes twinkled as she wryly noted how "patience with ambiguity is a very good skill to be proficient in" right now.

The spigot of community support is open, and hundreds of individuals, groups and businesses are contributing to the flow of affection. Clearly, Kootenai County loves their libraries!

• • •

Pat Raffee is a library user who lives in Post Falls.

CLN drops Juneteenth holiday

Action criticized as racist

By DEVIN WEEKS
Staff Writer

HAYDEN — The Community Library Network will no longer observe Juneteenth, the state and federally recognized holiday that marks the end of slavery in the United States.

Chair Rachelle Ottosen, Vice Chair Tom Hanley and Trustee Tim Plass voted in favor of dropping Juneteenth as the board updated the holiday section of the network's

personnel policy Thursday during a regular meeting at the Hayden Library. Juneteenth, or June 19, was added to the network's calendar last year following President Joe Biden's 2021 signing of a bill passed by Congress to reserve the day as a federal holiday.

The motion, which traded the Juneteenth holiday for a day off the day after Thanksgiving, was opposed by Trustees Vanessa Robinson and Katie Blank and criticized by members of the public as being racially motivated.

“So as not to overburden the budget, last in is first out, so I propose to exchange the extra day for Thanksgiving with the last date that was added, which is Juneteenth,” Ottosen said. “CLN's only celebrated that once.”

Ottosen, who put the item on the agenda, said staff shouldn't be prevented from spending Thanksgiving with their families just because they have



Ottosen

to work the next day and can't travel.

“Some people have impuned our motives, and I totally disagree,” Ottosen said. “I just want to say that I'm 1,000% behind celebrating Martin Luther King Jr. Day. We homeschooled and we spent at least enough time on that day to discuss Martin Luther King, read a book about him.”

She said King was a great man.

See CLN, A9

CLN
from A1

“If you’re trying to convince me that the driving force behind the board majority is not patriarchal white Christian nationalism, getting rid of the honoring of Juneteenth as a federal national holiday is absolutely not going to do it.”

JOSIAH MANNION, Coeur d'Alene

“He was flawed, and hopefully he repented, but he was a great man and he did great things for America,” Ottosen said. “He made America a much better place with love, peace, unity and dignity, and like I said, I totally respect and admire him.”

Blank was taken aback when she saw the item on the agenda.

“First of all, taking Juneteenth off is going to be seen as racially motivated,” she said. “It’s absolutely wrong.”

She said she was sure Juneteenth was added to the holiday calendar by a unanimous vote of the CLN board, a move that was also requested by staff.

The decision to remove Juneteenth as a holiday and instead add the day after Thanksgiving was not requested by staff.

Library Director Alexa Eccles pointed out the discussion was to be on Personnel Policy 5.3.6 Holidays, and the day after Thanksgiving is not a holiday.

She recommended the board create a “Thanksgiving Friday” or “Thanksgiving Travel Day” in the same vein as Easter. Libraries are closed Easter Sunday,

although it is not a paid holiday.

She said it’s important to let staff know they are the same as all other state employees, rather than treating the library district’s 103 staff differently.

“What you’re saying by making this motion is that you feel differently than the rest of the state and government workers in the state that we do not get the designated holidays, that we get less or, again, a different set of standards, a different set of holidays, which,

to me, sounds disparate, which is a legal term, which legal counsel can talk about,” Eccles said.

Assistant Library Director Lindsey Miller-Escarfuller said adding the day after Thanksgiving as a holiday will be three days part-time staff won’t earn pay in November, “which is a very rough part of the year to have a shorter, smaller paycheck.”

“If you can spread that day out into June, that makes their livelihood a lot easier,”

Miller-Escarfuller said.

Another piece to consider is that not everyone has wonderful, lovely family or holiday experiences, Miller-Escarfuller said.

“You’re assuming that everyone wants two days off to be with family, when in fact they might really want to go to work on Friday and be with their work family,” she said.

During public comment, Josiah Mannion of Coeur d’Alene questioned how the board decided

Juneteenth was a disposable federal holiday, to be replaced with a non-federal holiday as a day staff will take off.

“If you’re trying to convince me that the driving force behind the board majority is not patriarchal white Christian nationalism, getting rid of the honoring of Juneteenth as a federal national holiday is absolutely not going to do it,” he said.

He said he can only conclude that the board majority believes the holiday that honors Black freedom is disposable.

“Y’all gotta know that no matter how hard you try to frame it in colorblind official language, that stuff is racist to its core and it exposes your racist bones,” he said.



BILL BULEY/Press

Megan Dardis-Kuntz of Coeur d'Alene holds a sign during a press conference Tuesday.

University: 'Hateful' actions in Cd'A left players shaken

Mayor Hammond, others apologize, some call for stronger stances against racism

By BILL BULEY
Staff Writer

COEUR d'ALENE — The University of Utah's women's basketball team was a target of racism in downtown Coeur d'Alene last week, officials said Tuesday.

According to a statement from the University of Utah, there were two separate encounters Thursday.

"First, as the traveling party was walking to a restaurant for dinner in the vicinity of their hotel, a vehicle drove by and occupants shouted racial epithets

at the group," the statement said.

"Second, on the walk back to the hotel, a vehicle slowly passed the group, revving its engine with its occupants again shouting racially disparaging words and threats."

See **SHAKEN**, A8



BILL BULEY/Press

Jan Studer listens during Tuesday's press conference in Coeur d'Alene to address a racial incident that was reported last week.

SHAKEN
from A1

The players, band and spirit teams, as well as staff, administrators and supporters "continue to be deeply troubled and shaken by the hateful and disturbing actions and vitriol directed toward them in Coeur d'Alene," the statement said.

The incidents occurred shortly after the traveling party arrived in the area to participate in the NCAA women's basketball tournament's first and second rounds, hosted by Gonzaga University in Spokane.

Coeur d'Alene police are investigating the incidents, which took place on Sherman Avenue.

"As can be imagined, many students, staff and other members of the traveling party were deeply disturbed and fearful after the incidents, in what should be a safe and enjoyable experience," the statement said.

"Out of concern for their well-being and safety, we worked with Gonzaga and the NCAA to move to alternate accommodations in Spokane.

"Now, several days later, we are continuing to provide support and resources to all of those impacted by the events in Idaho last Thursday," the statement said.

Local officials condemned the incident and apologized during a press conference Tuesday in Coeur d'Alene.

Utah deputy athletics director Charmelle Green, who is Black, told KSL.com that when the truck revved its engine and someone shouted racist comments, they were all in shock.

"We looked at each other like, did we just hear that? ... Everybody was in shock — our cheerleaders, our students that were in that area that heard it

"So for our players, whether they are white, black, green, whatever, no one knew how to handle it and it was really upsetting. And for our players and staff to not feel safe in an NCAA Tournament environment, that's messed up."

LYNNE ROBERTS,

University of Utah women's basketball head coach

clearly were just frozen." she said. "We kept walking, just shaking our heads, like I can't believe that."

Utah head coach Lynne Roberts, during a press conference Monday night following the team's loss to Gonzaga in the second round, said, "We had several instances of racial hate crimes toward our program."

She said what happened in Coeur d'Alene was "incredibly upsetting" and "shocking."

"Racism is real and it happens and it's awful," Roberts said.

"So for our players, whether they are white, black, green, whatever, no one knew how to handle it and it was really upsetting. And for our players and staff to not feel safe in an NCAA Tournament environment, that's messed up," she said.

According to the Associated Press, Utah, South Dakota State and UC Irvine were staying at hotels in Idaho, even with Gonzaga as the host school, because of a lack of hotel space in the Spokane area. That left limited hotel space and Gonzaga received a waiver from the NCAA to allow teams to be housed in Coeur d'Alene.

Utah and UC Irvine were both staying at The Coeur d'Alene Resort.

UC Irvine officials said their team was not involved in what happened with the Utah team, but on Friday was also moved to a hotel in Spokane.

"The NCAA reached out to us, and we requested to move as well for the well-being and safety of our student-athletes and the entire travel party," a UC Irvine spokesperson said.

UC Irvine lost to Gonzaga on Saturday.

A South Dakota State spokesperson said their team stayed in Post Falls, and didn't have any issues.

South Dakota State lost to Utah on Saturday.

The University of Utah's statement said that as those impacted continue to heal, "we remain very disappointed in the decision to assign our team to hotels such a great distance from the competition site, in another state. We will work with NCAA leadership to make it clear that being so far removed from the site was unacceptable and a contributing factor to the impact of this incident."

The statement said the university wanted to express gratitude for the care and concern demonstrated by Gonzaga University and for the comments from Coeur d'Alene Mayor Jim Hammond and other local officials.

"We take their regret sincerely and appreciate both their strong condemnation and denouncement of the abhorrent conduct as well as their commitment to bringing those responsible to justice," according to the statement.

See SHAKEN, A9



BILL BULEY/Press

Coeur d'Alene Mayor Jim Hammond addresses the media Tuesday.

SHAKEN
from A8

Roberts said the NCAA tournament should have been a joyous time for the program.

"To have kind of a black eye on that experience is unfortunate," she said.

At Tuesday's press conference, said the city has a long history of fighting for and upholding human rights, civil rights and dignity for all.

"We continue to be committed to those ideals and we're intolerant of any form of harassment in our city," Hammond said.

To the young women who endured racial slurs while visiting, Hammond offered "my most sincere apology. We, all of us, stand with you, we embrace you, we celebrate your accomplishments, and strongly denounce any malicious treatment toward you."

Hammond said the city pledges to continue to work toward positive change.

"We believe that all should be treated with kindness, dignity and respect," he said.

Bill Reagan, president of The Coeur d'Alene Resort, said, "On behalf of the downtown business community, let me apologize for this terrible situation."

He said the players had a right to walk downtown, free of harassment.

"We continue to be committed to those ideals and we're intolerant of any form of harassment in our city. ... We believe that all should be treated with kindness, dignity and respect."

MAYOR JIM HAMMOND,
Coeur d'Alene

"Don't let the actions of a few indict all of Coeur d'Alene," Reagan said. "Stand united and do not tolerate this type of behavior."

He said Coeur d'Alene became an All-America City 30 years ago because it stood up for what is right.

"We remain united today," Reagan said.

Megan Dardis-Kuntz of Coeur d'Alene held a sign during the press conference that read, "End White Supremacy."

"We've had increases in Christian white nationalism in our community," she said.

Dardis-Kuntz said that last week, the Community Library Network voted to no longer observe Juneteenth, the state and federally recognized holiday that marks the end of slavery in the United States.

"And then this happens. I think it just shows a continued pattern in our community of concern," she said.

Jan Studer, a retired teacher who moved from

Boundary County to Coeur d'Alene in 2013, held a sign that read, "Not in our town, not in our state. Idaho is too great for hate."

She said she has been active in civil rights and taught her students about Ruby Bridges and Martin Luther King.

"I want a state that doesn't just say the words, but stands up for social justice and human rights for everybody," Studer said.

She fears that the area has a climate "that says ignore social justice, ignore diversity."

"It's not good to ignore all those things," Studer said.

Steve Widmyer, former mayor of Coeur d'Alene, also attended the press conference.

"We fought racism and bigotry in Coeur d'Alene for a long time now and we're going to continue to do it. We're going to shine the bright lights on that ugly behavior and we're going to call anyone out that does it," he said.

"We fought racism and bigotry in Coeur d'Alene for a long time now and we're going to continue to do it. We're going to shine the bright lights on that ugly behavior and we're going to call anyone out that does it."

STEVE WIDMYER,
former mayor of Coeur d'Alene

Readers Write

HOUSING: Sharing a fact-of-life lesson

Reading the Coeur d'Alene Press article "Rising rents squeeze Idaho families" took me back in time. After being discharged from the military I could not afford to live in the town where I grew up. So I moved a couple cities away to a town that I could afford. Eventually working hard, I was able to move back to my hometown. There were no handouts then. I learned that if you couldn't afford to live somewhere, you moved to where you could.

E. EVANS
Hayden



MASTERSON: Save our rural lifestyle

For county commissioner this time around my support goes to my good friend Bat Masterson and he should be your choice as well.

Bat has worked tirelessly for the county and the folks of North Idaho and their rural lifestyle for the past 20-plus years. He was instrumental in halting the "Bickel Ranch" development after many town meetings at Athol City Hall.

Bat has always worked in the medical field helping his neighbors and continuing his lifelong work in the military as a medical professional caregiver.

Bat was an avid sportsman and has worked to keep our Second Amendment in place. Bat is a horse trainer and a big fan of the back country horseman.

Vote for Bat if you want the county to keep moving in the right direction and keep our comprehensive plan in place, allowing only one house per five acres and other parts of the comp plan we have worked so hard to keep in place so we can continue living our dream in this wonderful panhandle.

Bat will continue doing the right thing as some of our past commissioners have done like Wayne Meyer and Dick Panabaker. You have the power, now do the right thing and let's get Bat Masterson on the board with the other county commissioners.

RON DAYTON
Athol

LIBRARY: Board thrusts dagger in woke's heart

I'm glad the library board finally decided to stand up to the woke ideology that is Juneteenth. Liberals have long stood for diminishing my rights. The fact the library board voted to align the library with the Biden propaganda network last year to give their liberal employees the fake holiday off was unconscionable.

Biden and O'bummer have propagated the narrative

that I should feel guilty just because my great-great-grandfather had a few slaves. That's what the fake holiday is really about. It isn't about celebrating freedom; it is about putting shackles of guilt on a majority white population. If librarians want the day off, they can go to some "urban" area where they can celebrate it alongside the homeless and crack-heads.

I appreciate the board deeming the day after Thanksgiving the alternative holiday. It's a shame it isn't a national holiday already.

What we need more of is unfettered mass consumerism. Allowing CLN employees the time off to participate in it — nothing more American than that.

Debt is the fourth biggest tradition of the weekend — right behind ignoring your wife in the kitchen, stuffing yourself with turkey, and watching the Cowboys.

I know most library staff are part time and live close to or under the poverty level, so allowing them the day to get gifts for the sacred gift-giving holiday of Christmas at bargain prices is far more gracious than they and their Marxist ideologies deserve.

We are all blessed we have three rated and vetted trustees. Hallelujah!

N. HANSEN
Post Falls

P.S.: This letter is satire.

LEARNING: Critic writes an obituary

Imitating Post Falls, our Coeur d'Alene School District is teasing the idea of reducing the school week from five days to four. The excuse is a spurious claim that money will be saved, but the reason is much simpler. Administrators and teachers union bosses are trying to curry favor with those whom they have disappointed.

Our perennially over-budget public school district has willfully made our schools into places where no one wants to be. At every turn, the fashionable educational philosophies of school managers, education professors, grant writers and government bureaucrats have

blighted the transmission of values, knowledge and skills to coming generations.

A bloated district superintendent's office mandates that instructional time each week be sacrificed for truly useless professional development. Endless micromanagement by administrators and committees interfere with the relationship between teachers and learners. Creativity and autonomy have been stolen from the classroom to feed the insatiable appetites of parasitical managers for control.

Common sense is trumped by pedagogical theories that promise to save schools from the students, teachers, parents and citizens. Discipline is contorted into Social & Emotional Learning, testing and curricula are twisted into a mediocre conformity, and ideological value trumps classical knowledge.

As top-down planning replaces teacher autonomy, there is no joy. As indoctrination replaces education, there is no authenticity. As ideology replaces objectivity, there is no truth.

The very managers whose vainglorious hubris have smothered inspirational teaching and killed traditional learning now offer less time in their failed schools. Free our schools from their control!

RALPH K. GINORIO
Coeur d'Alene

EXCEL: Came through again for music program

Thank you to the Excel committee for your continued support of our music program in our community and here at Skyway Elementary! Your generous grant has allowed our students to continue to experience new instruments and the teamwork needed in an ensemble setting. They were a great addition to our fourth grade concert. We love playing our instruments! Thank you!

LIZ THURGOOD, MEd
Music Specialist
Skyway Elementary

As other states target libraries Inslee signs bill to protect them

'Vital resource' to community

BY DAVID GUTMAN - SEATTLE TIMES

Washington has passed legislation intended to safeguard its public libraries, after a small city in the southeastern corner of the state nearly became the first community in the nation to shutter its library over the book battles that have engulfed schools, libraries, cities and states across the country.

The legislation, which passed the House and Senate with overwhelming bipartisan support and was signed into law by Gov. Jay Inslee Tuesday, comes in response to a push last year to close the only library in rural Columbia County. The new law will make such attempts much more difficult, requiring more signatures to get potential shutdowns on the ballot and then allowing a broader population of voters to decide a library's fate.

"Libraries bring vital resources to our communities," Inslee said Tuesday. "This bill protects our state libraries."

The move runs counter to a nationwide trend that has seen legislators, almost exclusively Republicans, push bills making it easier to ban or censor

books, cut library funding or remove legal protections from libraries and librarians.

Legislators in 27 states proposed bills this year that could harm libraries or limit the books and services they provide, according to the American Library Association.

Idaho Legislature passes bill requiring Idaho libraries move 'harmful materials'

Gov. Little has final consideration

BY KYLE PFANNENSTIEL IDAHO CAPITAL SUN

A bill to require Idaho public and school libraries to move materials deemed harmful to children, or face lawsuits, passed the Idaho Senate and House on Wednesday.

House Bill 710, backed by Republican legislative leaders, follows years of attempts by the Idaho Legislature to regulate materials deemed harmful to children in Idaho libraries.

The bill now goes to Idaho Gov. Brad Little for final consideration.

House Bill 710 would allow children or their parents to file a legal claim against a public or school library if they obtain materials deemed harmful to minors.

That's if libraries don't move materials within 60 days of receiving a request to relocate the material "to a section designated for adults only." Children or parents could receive \$250 in statutory damages, along with actual damages and other relief, such as injunctive relief, under the bill.

Some librarians have called the bill unneeded, telling lawmakers in a House committee this year that local library relocation policies handle community complaints, while others worried it would strain libraries.

Sen. Cindy Carlson, R-Riggins, said if harmful material isn't in libraries, relocating material shouldn't be difficult or cause libraries to close.

"There is no book banning. This codifies a relocation policy that is fair. This process is fair for both sides of the issue," Carlson said. "Harmful materials is already in (Idaho) Code. We are actually taking away language from the Code to clear up the possibility of legal challenge."

The Idaho Senate passed the bill on a 24-11 vote on Wednesday.

Sen. Treg Bernt, R-Meridian, said the issue boils down to liability that libraries would face under the bill.

"I believe that the language that we've used in this bill – although with great and good intent – will cause greater problems for our libraries than they solve," said Bernt, who said he voted for previous library bills in the Legislature.

Most Idahoans – 69% – trust library staff with book selection, while 23% of Idahoans do not, according to this year's Idaho Public Policy Survey.

Special meeting goes nowhere

CLN board at odds over presence of attorney, open meeting law

By DEVIN WEEKS
Staff Writer

POST FALLS — A special meeting with a focus on Idaho's open meeting law didn't go as planned Thursday when the Community Library Network's legal counsel was not at the meeting to provide legal advice.

The meeting was called by Trustees Vanessa Robinson and Katie Blank, who expected to review the law and any violations the board may have committed with attorney Colton Boyles. However, Vice Chair Tom Hanley, acting as chair until Rachelle Ottosen arrived an hour into the meeting, said he called Boyles and told him he didn't need to attend the meeting because the agenda had no action items on it.

See CLN, A7

“I literally feel faint right now. I am in disbelief he was told not to come. He is at every meeting and he either does not take initiative to speak or he’s told not to speak.”

VANESSA ROBINSON, trustee



DEVIN WEEKS/Press

Community Library Network staff and trustees held a special meeting Thursday. From left, clockwise: Assistant Library Director Lindsey Miller-Escarfuller, Library Director Alexa Eccles, Vice Chair Tom Hanley and Trustees Katie Blank, Vanessa Robinson and Tim Plass.

CLN from A1

“I literally feel faint right now,” Robinson said. “I am in disbelief he was told not to come. He is at every meeting and he either does not take initiative to speak up or he’s told not to speak.

“Now, when clearly we were having a meeting about open meeting laws — laws — and the attorney isn’t here and was told not to be here?” she continued. “I am beside myself and literally feel faint.”

Library Director Alexa Eccles said this was the first time these two trustees have called a meeting and also the first time legal counsel was uninvited. She recommended a brief recess so she could contact Boyles and invite him back via video conference, but the recess did not take place.

“When you’re discussing training of the law, the most appropriate person would be legal counsel,” Eccles said. “When this board first began in June of last year, the very first topic was training by legal counsel. We have been clear that we provide this board training by legal counsel when it comes to interpretation of the law. It is not appropriate for me to interpret the law, it is not appropriate for any of us to interpret the law except for legal counsel on behalf of the public.”

Robinson asked who was running the meeting,

to which Hanley said he was.

“Are you qualified to take us through this book?” Robinson said. “I can’t believe that (Boyles) is not here.”

Hanley said the agenda did not include who was providing the training.

“That’s the answer I have,” he said.

Trustee Tim Plass said he agreed the attorney did not have to be present and is only needed when the board takes action.

“If we’re doing something that’s illegal, something that is clearly going to get us in trouble, that is why he’s here, to tell us not to take that action or go to executive session or postpone,” Plass said. “I don’t see the need for him to be here, especially when no one asked him to give the instructions.”

Blank said she did ask Boyles to be present at this meeting.

At the end of the March 21 meeting, Blank and Robinson requested a special meeting because they could not get a third trustee to discuss Idaho’s open meeting law during that meeting.

The board received correspondence from former board member Regina McCrea that was added to the draft minutes of that meeting. When Blank began to share her concerns regarding the letter, Hanley banged his gavel several times and told her she was out of order for discussing the contents of the letter.

Also added to the

March 21 draft minutes was an email of concerns Blank sent to Ottosen regarding meeting agendas.

McCrea wrote to the board in a March 18 correspondence that although trustees tell the public items will only be added to agendas via consensus, it was obvious to her trustees have “resorted to acting in secret and have begun putting items on agendas without ever talking about them before at any meeting.” She also pointed out what she described as flagrant violations of Idaho’s open meeting law.

“Returning then to the March 6, 2024, meeting, there can be but one conclusion — Trustees Hanley and Plass decided amongst themselves what they wanted to have happen and then brought in Board Chair Ottosen to carry out their directives by issuing notice and an agenda for a special meeting,” McCrea wrote. “This maneuvering is illegal. The proper course that a public agency must follow is to discuss agenda topics in an open meeting.”

She wrote it would significantly aid CLN if trustees could engage in a discussion with their legal counsel regarding the contents of her email, rectify any breaches of law and undergo further training concerning compliance with open meeting regulations.

The next regular meeting of the CLN board will be from 2 to 5:30 p.m. April 18 at the Hayden Library.



My Turn

Librarians, parents and bounty hunters, oh my!

By KARA CLARIDGE
Guest Opinion

After three years of our legislators trying to pass a bill aimed at protecting children from harmful materials in public libraries, we are down to the final hours of the session where H710 hangs in the balance. Hours of debate in the House and Senate state affairs committees reveal the difference of beliefs between those employed by or representing libraries and parents and concerned citizens.

My testimony as a parent of five children and regular library user is that explicit materials absolutely exist and are regularly promoted to minors and coming in faster than can be identified. If you are a citizen of Kootenai County and still unsure, check out the well-documented work at cleanbooks4kids.com.

It's getting pretty hard to deny. It is well past time in seeing this issue fixed. For all the uproar surrounding this debate, why is passing this bill such a problem if these materials don't exist as some still claim?

H710 is called The Children's School and Library Protection Act. The Bill's statement of purpose requires public schools and community libraries to take reasonable steps in restricting children's access to obscene or harmful material. A parent or guardian of a minor child who accesses such material in violation of this policy would be entitled to bring a civil action against the school or library for damages and injunctive relief.

Material challenged would need to meet the definition of Idaho statute 18-1514 Relating to Minors.

Some detractors have been concerned this would create a path forward for people to abuse the system for monetary gain. It seems unlikely that a "bounty hunter" would go through all the work of filling out a materials review form, submitting it to the library and baby-sitting the process all to make \$250.

Cd'A's appointed library board has refused to lift a finger to address this issue after years of public comment. I think our children are worth protecting. If they won't respond to the constituents they represent who truthfully bring forth evidence, then this piece of legislation might help encourage them to stay within the boundaries of Idaho law that applies to every other citizen. If you agree, contact the Idaho Senate at emailidaho.com to give your support.

...

Kara Claridge is a Coeur d'Alene resident.

OPINION: E Pluribus Unum

I remain troubled, and even depressed, by the racial slurs and overt acts of intimidation that prompted three NCAA women's basketball teams to flee Coeur d'Alene for the safety of Spokane two weeks ago.

The young men who harassed and threatened to harm these guests disgraced themselves and the larger community.

The distress experienced by the Utah team as a whole was undeniable and surely impacted its preparedness for what was to be a culmination of months of hard-fought competitive excellence.



Evan Koch

More Perfect Union

Many prominent individuals and groups responded, no doubt because of the team's high profile. How often does this kind of abuse go unnoticed when it is directed at visitors who don't have such a high profile?

Condemnations of the men's heinous words and actions were issued in The Press and elsewhere. Apologies and assurances that Coeur

d'Alene is committed to human rights, civil rights and dignity for all were shared. Lastly, an appeal, "Don't let the actions of a few indict" us all.

But the damage was done. Unfortunately, other evidence indicates that any progress made in past decades battling racist or discriminatory ideologies is backsliding.

Local propagandists David Reilly, Casey Whalen and Vincent James Foxx have applied their media skills and platforms to discriminate and promote messages of hate or exclusion based on gender, ethnicity, or

party affiliation.

Trustees at the Community Library Network blatantly stopped observing Juneteenth, a state holiday.

Governor Little signed legislation banning diversity, equity and inclusion statements at all state colleges and universities.

North Idaho Sen. Phil Hart, alone among our legislators, refused to sign a resolution that called for "...eradicating the conditions that allow racial animus and undue prejudice to persist in Idaho."

See KOCH, A6

KOCH

from A4

In view of this backsliding, all the apologies, commitments and appeals come up immeasurably short. To make them convincing we must put them into action.

Challenging racist, sexist, or discriminatory language is not "woke," and it is not censorship. It is common sense in any healthy and respectful society, but especially so in a multicultural democracy and republic.

Rounding the sharp edges of history and exercising erasure by limiting academic and intellectual freedom in schools and libraries is a net negative for our citizenry and only helps to foster a climate where these acts become more commonplace.

Religious leaders, please convey to your faith communities the truth embodied in the words of the Rev. Sen. Raphael Warnock (D-Georgia).

"Democracy is the political enactment of a spiritual idea. We were born in the 'imago dei,' the image of God. We all have value, we all have worth as human beings. If we have value then we ought to have a voice. Democracy enables that by giving us a vote."

2024 is an election year. We should all lean in to redeem Coeur d'Alene. Mobilize now to remove from office anyone who is not fully committed to civil and human rights.

Senators Bjerke, Hart and Okuniewicz, and Representatives Alfieri, Barbieri, Mendive, Price, Redman and Scott are all up for re-election and have supported bills that work to censor

conversations related to diversity and inclusion. Rep. Elaine Price even sponsored an anti-diversity bill.

I have not seen, from any of them, a personal apology to the women athletes or a rebuke of the men who harassed them. This is saddening.

The Kootenai County Republican Central Committee first responded to the NCAA events with an evasive and distorted resolution.

Chair Brent Regan then issued a \$10,000 reward for evidence leading to the arrest and conviction of the individuals involved.

That money would be better spent in support of learning. We ask Chairman Regan to pledge that sum to the Human Rights Education Institute in support of a community workshop or speaker event that would work to build collaboration between

those with differences and make clear how discriminatory acts or expressions are entirely un-American.

Racial bias is not an inherited trait. It's a learned behavior that can be unlearned.

It is our duty and moral obligation to stop this backsliding. Leaders in business, education, professions, and government, you have influence. Please don't let this issue disappear from public consciousness.

Anti-discrimination and inclusion is embodied in the original motto of the United States. E Pluribus Unum — out of many, one. It is also embodied in the second national motto, One Nation Under God.

Only by working together civilly can we ever hope to build a more perfect union.

• • •

Evan Koch is chairman of Kootenai County Democrats.

Bill targets 'harmful materials' in Idaho libraries

By KYLE PFANNENSTIEL
Idaho Capital Sun

A bill to require Idaho public and school libraries to move materials deemed harmful to children, or face lawsuits, passed the Idaho Senate and House on Wednesday.

House Bill 710, backed

by Republican legislative leaders, follows years of attempts by the Idaho Legislature to regulate materials deemed harmful to children in Idaho libraries.

The bill now goes to Idaho Gov. Brad Little for final consideration.

House Bill 710 would allow children or their

parents to file a legal claim against a public or school library if they obtain materials deemed harmful to minors.

That's if libraries don't move materials within 60 days of receiving a request to relocate the material "to a section designated for adults only."

Children or parents could receive \$250 in statutory damages, along with actual damages and other relief, such as injunctive relief, under the bill.

Some librarians have called the bill unneeded, telling

See LIBRARIES, A6

LIBRARIES

from A1

lawmakers in a House committee this year that local library relocation policies handle community complaints, while others worried it would strain libraries.

Sen. Cindy Carlson, R-Riggins, said if harmful material isn't in libraries, relocating material shouldn't be difficult or cause libraries to close.

"There is no book banning. This codifies a relocation policy that is fair. This process is fair for both sides of the issue," Carlson said. "Harmful materials is already in (Idaho) Code. We are actually taking away language from the Code to clear up the possibility of legal challenge."

The Idaho Senate passed the

bill on a 24-11 vote Wednesday.

Sen. Treg Bernt, R-Meridian, said the issue boils down to liability that libraries would face under the bill.

"I believe that the language that we've used in this bill — although with great and good intent — will cause greater problems for our libraries than they solve," said Bernt, who said he voted for previous library bills in the Legislature.

Most Idahoans — 69% — trust library staff with book selection, while 23% of Idahoans do not, according to this year's Idaho Public Policy Survey.

More than half of Idaho librarians are considering leaving library work as a result of library-related legislation, according to an informal survey conducted by the Idaho Library Association.

Sen. Geoff Schroeder, R-Mountain Home, said

libraries could adopt policies restricting the ability of people to complain.

"What I think's important to remember here is that the person who's going to complain about a work is going to have to at least see, repeated on the form, this standard," Schroeder said.

But some lawmakers worried the bill could prompt frivolous complaints.

Sen. Mary Shea, substituting for Sen. James Ruchti, D-Pocatello, said the bill "invites mischief and grift."

"It would be very easy to put a book you don't like in the wrong place in the library just to file a lawsuit about it," Shea said.

Senate Assistant Majority Leader Abby Lee, R-Fruitland, said she disagreed that "what we are doing isn't going to potentially incite activism."

Some lawmakers doubted

that the bill would be onerous for libraries to comply with.

"If we had that much material that we had to renovate buildings or spend a lot of tax dollars," said Sen. Glenneda Zuiderveld, R-Twin Falls, "then we have a bigger problem."

Sen. Julie VanOrden, R-Pingree, said she felt like the bill was a mandate for libraries, and doesn't help them to make adult areas inaccessible.

The Senate late last month amended the bill to extend the deadline to move materials from 30 to 60 days and to require libraries to have a relocation policy.

The Idaho House, after a tense debate, passed the original version of House Bill 710 last month.

The Idaho House passed the amended bill on a 45-24 vote Wednesday.

5.3.6. HOLIDAYS

Employees in categories 1 and 2 are eligible to receive holiday pay. The district recognizes the federal and state holidays listed below and Christmas Eve Day (as approved on January 19, 2023). As revised and approved on March 21, 2024, libraries will be closed in observation of the following holidays:

New Year's Day	January 1
Martin Luther King, Jr./Human Rights Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Thanksgiving Friday / Travel Day	Friday immediately following Thanksgiving
Christmas Eve Day	December 24
Christmas Day	December 25

Easter is the exception to the above policy. Libraries are closed Easter Sunday, but it is not an official paid holiday. Only the employees in categories 1 and 2 who would normally be scheduled to work on Easter Sunday are paid for that day.

Holidays falling on a regular, scheduled workday will be entered on the employee's timesheet as "Holiday Pay". Additional time off will be added to an eligible employee's vacation accrual for holidays that fall on non-scheduled workdays. For Category 1 employees, a paid holiday will equal 8 hours. For Category 2 employees, a paid holiday will equal 6 hours.

If a holiday falls during an employee's vacation, or other approved absence (including FMLA Leave), the employee will receive holiday pay. Employees on leave without pay or on disciplinary suspension without pay are not eligible for holiday pay.



Personnel Policy Manual

Revised and Board Approved: 03-21-2024

5.3.6 HOLIDAYS

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If a holiday falls during an employee's vacation, or other approved absence (including FMLA Leave), the employee will receive holiday pay. Employees on leave without pay or on disciplinary suspension without pay are not eligible for holiday pay.

Materials Selection, Acquisition, and Withdraw Policy

Objective

Public libraries are more than a repository of books and materials; libraries are a haven of privacy, and ensure the community has free and open access to personal inquiry. The vocation of a librarian requires a unique commitment to freedom of speech and the celebration of diverse viewpoints, unlike that found in most other occupations. The ability to access information has a critical impact on the community's educational success, economic development, provision for an informed electorate, and overall quality of life.

This policy defines the Community Library Network's responsibility to establish and maintain a balanced and diverse collection of materials that meet the informational, educational, and recreational needs of the community, especially its children.

The right, privilege, and responsibility for the use of library materials by Minors rests primarily with parents or legal guardians. The inherent modern-day challenge for public libraries is providing open access to a collection of materials while protecting Minors from harm. Promoting the welfare of children is everyone's responsibility. This intent is codified in the Children's Internet Protection Act (CIPA) set forth at 20 U.S.C. § 9134 and 47 U.S.C. § 254. Additionally, all members of the U.S. Supreme court unanimously agreed that public libraries have a "legitimate" and "compelling" interest in "protecting young library users from material inappropriate to minors" (U.S. v. American Library Association 2003).

This portion of the policy (Selection and Acquisition) pertains only to the acquisition of new books and materials, regardless if previously acquired, (except material which has been lost or damaged). It does not involve the removal of existing library materials. Policy regarding retention, removal, or relocation of existing materials is addressed under the Withdraw portion of this policy.

Responsibility

The quality of the library's services, including the collection, ultimately rests with the library's elected Board of Trustees. The primary role of the board is to ensure adequate collection funding and to guide the selection process through this policy. The selection of library materials is the responsibility of the Library Director, who, working with professional collection development library staff, curates and ensures collections are balanced with wide appeal. All staff members and the public are encouraged to recommend materials for consideration. Suggestions are evaluated by the staff based upon the library's criteria for selection.

Materials for Minors

Protecting minors from explicit and potentially developmentally damaging sexual content is a serious consideration for the entire community, library board and staff. No graphic visual or written depictions of sex will be included in this collection. Age-appropriate materials concerning biology, human anatomy, or religion are exempt from this directive.

For this reason, the entirety of the Minor's collection must conform to the standards established by the Children's Internet Protection Act (CIPA).

Additionally, Materials for Minors [persons under the age of eighteen (18)] that violate Idaho Codes 18-1513, 18-1514, and 18-1515 will be excluded from the Children's Teens, and Young Adult collections. Materials that violate these criteria are considered "harmful to minors."

STAFF HYBRID
DRAFT FOR
3/21/24 MEETING

Selection Process

The Community Library Network seeks to provide a balanced collection with a wide range of materials in a variety of formats that meet the needs of our patrons. Library staff shall select materials based upon the library's mission statement and accepted goals and priorities, stated policies, published reviews, recommendations from library users, availability of materials at other libraries, item's relation to existing collection, use analysis, space, price, understanding of the community's needs and interests, and staff professional judgment and expertise.

Books and material with content that is "harmful to minors" shall be excluded from selection and acquisition for the library's non-adult collection.

The Community Library Network uses several criteria to determine the addition of an item whether purchased, requested, or donated.

- Authority and competency of presentation, author, or publisher
- Favorable reviews and inclusion in, but not limited to, reputable resources such as professional or trade journals
- Relation to existing collection
- Adequate standards of quality and durability in content, format, and physical appearance
- Current usefulness or lasting value (e.g. time-tested classics)
- Popularity and user demand, including hold demand counts on materials selected by other libraries in our consortium (CIN) that do not conflict with CLN policy
- Availability of materials through other libraries (Interlibrary Loan) or electronic resources
- Space requirements
- Representation of trends, subjects, or genres of local or national interest
- Price
- Format
- Suitability of subject and style for age of intended library users
- Graphic, visual, or written depictions of sexual acts in books and materials geared toward minor's, patrons under the age of 18, are unsuitable for the Minor's Collection

Gifts

The Community Library Network welcomes donated books and other materials that are in good condition. Donated items may be used or disposed of in any way deemed appropriate and no conditions by donors can be made on materials donated. Donations are evaluated using the same criteria as purchased items. A receipt may be given to donors if requested with a number of items donated, but no assessment of value will be made by library staff.

Review of Policy

This policy will be reviewed and revised every three years or updated as necessary. Approved by the Community Library Network Board of Trustees, XXX.

STAFF HYBRID
DRAFT FOR
3/21/24 MEETING



Collection Selection and Access Policy

Board DRAFT 12.21.2023

Public libraries are more than a repository of books and materials, libraries are a haven of privacy and ensure the community has free and open access to personal inquiry. The right to think is the beginning of freedom and speech is the beginning of thought. The ability to access information has a critical impact on a community's educational success, economic development, provision for an informed electorate, and overall quality of life.

This policy defines the Community Library Network's responsibility to establish and maintain: 1) library card options for parents and legal guardians to control and monitor their minor child's access to the library's collections and resources, and 2) a balanced and diverse collection of materials that meet the informational, educational, and recreational needs of our residents.

The right, privilege, and responsibility for the use of library materials by Minors rest with parents or legal guardians. The inherent modern-day challenge for public libraries is providing open access to a collection of materials while protecting Minors from harm. Promoting the welfare of children is everyone's responsibility. Community Library Network established in 2023, a new "teen collection" geared towards 13 – 15-year-olds. Collections for Minors within the Community Library Network include a Children's Collection geared towards 0 - 12-year-olds, a Teen Collection geared towards 13 - 15-year-olds, and a Young Adult Collection geared towards 16- and 17-year-olds. Community Library Network recognizes children have freedom of speech codified in the First Amendment but are limited in some ways by capacity, which is often age dependent.

Responsibility

The quality of the library's services, including the collection, ultimately rests with the library's elected Board of Trustees. The primary role of the board is to ensure adequate collection funding and to guide the selection process through this policy. Selection of library materials is the responsibility of the Library Director, who, working with professional collection development library staff, ensures collections are balanced with wide appeal. All staff members and the public are encouraged to recommend materials for consideration. Suggestions are evaluated by the staff based on the library's criteria for selection.



Library Cards for Minors

Parents and legal guardians can authorize their children under the age of 18 to have their own library card. The extent to which a minor child has access to the Library's collection is the responsibility of their parent or legal guardian and is not dependent on the minor child's age.

Regulations:

Parents or legal guardians must present proof of their identity and current address within the Library district to obtain a library card for their child.

1. Parents or legal guardians are financially responsible for any fees that accrue to the child's card.
2. Parents or legal guardians are encouraged, but not required, to have their own card to obtain a library card for their minor child.
3. Parents or legal guardians may choose one of three ways for their child to access the Library's collection:
 - a. **Child Limited:** access to the Children's collection only, which is geared for ages 0-12. The collection includes books, graphic novels, and media such as DVDs and CDs. The majority of these items are designated Easy or Juvenile in the online catalog.
 - b. **Teen Limited:** access to the Children's collection, which is geared for ages 0-12, and the Teen collection which is geared for ages 13-15. The Teen collection includes books, graphic novels, and media such as DVDs and video games, and these items are designated Teen in the online catalog.
 - c. **Open access** to the entire collection including access to the collections of the Cooperative Information Network.
4. A limited access card can only be used to borrow materials from one of the Community Library Network libraries. It cannot be used to reserve or borrow materials from other libraries in the Cooperative Information Network. Nor can it be used to access e-books, streaming content, or online databases.
5. Minor children who currently have a library card will continue to have open access to all materials in the Community Library Network and may borrow materials from other libraries in the Cooperative Information Network.
6. Parents or legal guardians may, at any time, request to change the collection access level of their child's card.



7. Library cards expire every two years. When renewing their child's card, a parent or legal guardian will be offered the opportunity to change the collection access level of their child's card.
8. Parents or legal guardians who have their own library card can elect to have the card(s) of their children linked to their card. Doing so would enable the parent or legal guardian to view the titles currently checked out on the child's card and the dates those items are due to be returned to the Library.

Materials for Minors

1. Materials for Minors under the age of eighteen (18) that violate Idaho Codes 18-1513, 18-1514, and 18-1515 will be excluded from the Children's, Teens, and Young Adult collections.
2. Protecting children aged 0 – 12 -years from explicit and potentially developmentally damaging sexual content is a serious consideration for the entire community, library board and staff. For that reason, nonsexual nudity may only be included in the Children's collection, which is geared for ages 0-12, if it is mild and the material was specifically written and geared towards a very young audience. No graphic, visual or written depictions of sex will be included in this collection.
3. Determination and placement of materials within minor library collections – Childrens (0-12), Teen (13-15) and Young Adult (16-17).
 - a. The Community Library Network realizes its place in fostering the open exchange of information and protecting access to the library's collection and resources. The primary purpose of these collection categories is to facilitate access and provide guidance in locating suitable materials for each individual child, teen or young adult.
 - b. For each book or material, professional collection development library staff determine the most appropriate placement within the library on a case-by-case basis. This review requires the exercise of professional judgment, which may include, but is not limited to, reviewing placement determinations of other public libraries, the publishers or authors intended audience, and/or recommendations in published reviews.



- c. For patrons with a child limited access card, their borrowing privileges will be restricted to the Children's Collection (0 - 12). For patrons with a teen limited access card, their borrowing will be limited to Children's and Teen Collections. Patrons with limited access cards cannot borrow from Young Adult and Adult collections.

Selection Process

The Community Library Network seeks to provide a balanced collection with a wide range of materials in a variety of acceptable formats representing all viewpoints, including controversial issues that may be objectionable to some individuals. The purchase of controversial items does not constitute endorsement of the views expressed.

Library staff select materials based on the library's mission statement and accepted goals and priorities, published reviews, recommendations from library users, availability of materials at other libraries, item's relation to existing collection, use analysis, space, price, understanding of the community's needs and interests, and staff professional judgment and expertise.

The Community Library Network uses several criteria to determine the addition of an item whether purchased, requested, or donated.

- Authority and competency of presentation, author, or publisher
- Favorable reviews and inclusion in reputable resources such as professional or trade journals
- Relation to existing collection
- Adequate standards of quality and durability in content, format, and physical appearance
- Current usefulness or lasting value
- Popularity and user demand, including hold demand counts on materials selected by other libraries in our consortium (CIN)
- Availability of materials through other libraries (Interlibrary Loan) or electronic resources
- Space requirements
- Representation of trends, subjects, or genres of local or national interest
- Price
- Format
- Suitability of subject and style for age of intended library users



- Graphic, visual, or written depictions of sexual acts in books and materials geared towards minors under 12 years of age are unsuitable for the Children's Collection

Withdrawal of Materials (Weeding)

The Community Library Network attempts to keep its entire collection in a condition that is attractive and inviting to the user. The Collection Development Librarian and other staff use the CREW (Continuous Review and Evaluation for Weeding) method to keep the collection weeded. Criteria for selecting materials for withdrawal include:

- Damage and poor condition
- Copies in excess of demand
- Obsolete information or format
- Lack of use or space
- Availability from other sources
- Community relevance

Gifts

The Community Library Network welcomes donated books and other materials that are in good condition. Donated items may be used or disposed of in any way deemed appropriate and no conditions by donors can be made on materials donated. Donations are evaluated using same criteria as purchased items. A receipt may be given to donors if requested with a number of items donated but no assessment of value will be made by library staff.

Reconsideration of Material

If a library patron concludes that a specific item does not meet the guidelines set forth in this policy, they may fill out a Citizen's Request for Reconsideration of Material form. The completed form will be given to the District Director who will review the form for evaluation and recommendations. The Community Library Network is a member of the Cooperative Information Network (CIN) consortium, sharing and receiving materials from the other member libraries. Requests for reconsideration are only accepted from Community Library Network residents for Community Library Network owned materials. A review team of library staff will be selected to review the item fully using the material selection policy as a guide and evaluating the work as a whole. A decision will be submitted to the library user. If the patron is not satisfied with the decision, they may appeal the decision to the board of trustees in writing



within 10 business days. The board will evaluate whether staff appropriately used the selection policy as a guide during the review process. The patron will be notified of the outcome. The board's decision is final. The item in question will not be removed from the shelf during the reconsideration process. An item will be evaluated for reconsideration only once in a 3-year period unless sufficient new compelling evidence is introduced.

Review of Policy

This policy supersedes and replaces the Selection and the Library Cards for Minors Policies. This policy will be reviewed and revised every three years or updated as necessary. Approved by the Community Library Network Board of Trustees, XXX.



Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 18
CRIMES AND PUNISHMENTS
CHAPTER 15

CHILDREN AND VULNERABLE ADULTS

18-1513. OBSCENE MATERIALS – DISSEMINATION TO MINORS – POLICY. It is hereby declared to be the policy of the legislature to restrain the distribution, promotion, or dissemination of obscene material, or of material harmful to minors, or the performance of obscene performances, or performances harmful to minors. It is found that such materials and performances are a contributing factor to crime, to juvenile crime, and also a basic factor in impairing the ethical and moral development of our youth.

History:

[I.C., sec. 18-1513, as added by 1972, ch. 336, sec. 1, p. 873.]

How current is this law?



Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 18
CRIMES AND PUNISHMENTS
CHAPTER 15
CHILDREN AND VULNERABLE ADULTS

18-1514. OBSCENE MATERIALS – DEFINITIONS. The following definitions are applicable to this act:

1. "Minor" means any person less than eighteen (18) years of age.
2. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.
3. "Sexual conduct" means any act of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, the breast.
4. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
5. "Sado-masochistic abuse" means flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one who is nude or so clothed.
6. "Harmful to minors" includes in its meaning one or both of the following:
 - (a) The quality of any material or of any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - (1) appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
 - (2) depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:
 - (i) intimate sexual acts, normal or perverted, actual or simulated; or
 - (ii) masturbation, excretory functions or lewd exhibition of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political or scientific value for minors, according to prevailing standards in the adult community, with respect to what is suitable for minors.
 - (b) The quality of any material or of any performance, or of any description or representation, in whatever form, which, as a whole,

has the dominant effect of substantially arousing sexual desires in persons under the age of eighteen (18) years.

7. "Material" means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.

8. "Performance" means any play, motion picture, dance or other exhibition performed before an audience.

9. "Promote" means to manufacture, issue, sell, give, provide, deliver, publish, distribute, circulate, disseminate, present, exhibit or advertise, or to offer or agree to do the same.

10. "Knowingly" means having general knowledge of, or reason to know, or a belief or reasonable ground for belief which warrants further inspection or inquiry.

History:

[I.C., sec. 18-1514, as added by 1972, ch. 336, sec. 1, p. 874; am. 1976, ch. 81, sec. 15, p. 267.]

How current is this law?



Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 18
CRIMES AND PUNISHMENTS
CHAPTER 15

CHILDREN AND VULNERABLE ADULTS

18-1515. DISSEMINATING MATERIAL HARMFUL TO MINORS – DEFINED – PENALTY. A person is guilty of disseminating material harmful to minors when:

1. He knowingly gives or makes available to a minor or promotes or possesses with intent to promote to minors, or he knowingly sells or loans to a minor for monetary consideration:

(a) Any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors; or

(b) Any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter enumerated in paragraph (a) hereof, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which, taken as a whole, is harmful to minors; or

(c) Any other material harmful to minors.

2. With reference to a motion picture, show or other presentation which depicts nudity, sexual conduct or sado-masochistic abuse, and which is harmful to minors, he knowingly:

(a) Exhibits such motion picture, show or other presentation to a minor for a monetary consideration; or

(b) Sells to a minor an admission ticket or pass to premises whereon there is exhibited or to be exhibited such motion picture, show or other presentation; or

(c) Admits a minor for a monetary consideration to premises whereon there is exhibited or to be exhibited such motion picture, show or other presentation; or

(d) Exhibits such motion picture, show or other presentation to a minor not for a monetary consideration; or

(e) Gives without monetary consideration to a minor an admission ticket or pass to premises where there is exhibited or to be exhibited such motion picture, show, or other presentation.

Disseminating material harmful to minors is a misdemeanor punishable by confinement in the county jail not to exceed one (1) year, or by a fine not to exceed one thousand dollars (\$1,000), or by both such fine and jail sentence.

History:

[I.C., sec. 18-1515, as added by 1972, ch. 336, sec. 1, p. 875.]

How current is this law?

20 USC 9134: State plans

Text contains those laws in effect on April 9, 2024

From Title 20-EDUCATION

CHAPTER 72-MUSEUM AND LIBRARY SERVICES

SUBCHAPTER II-LIBRARY SERVICES AND TECHNOLOGY

Part 1-Basic Program Requirements

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§9134. State plans**(a) State plan required****(1) In general**

In order to be eligible to receive a grant under this subchapter, a State library administrative agency shall submit a State plan to the Director once every 5 years, as determined by the Director.

(2) Duration

The State plan shall cover a period of 5 fiscal years.

(3) Revisions

If a State library administrative agency makes a substantive revision to its State plan, then the State library administrative agency shall submit to the Director an amendment to the State plan containing such revision not later than April 1 of the fiscal year preceding the fiscal year for which the amendment will be effective.

(b) Contents

The State plan shall-

- (1) establish goals, and specify priorities, for the State consistent with the purposes of this subchapter;
- (2) describe activities that are consistent with the goals and priorities established under paragraph (1), the purposes of this subchapter, and section 9141 of this title, that the State library administrative agency will carry out during such year using such grant;
- (3) describe the procedures that such agency will use to carry out the activities described in paragraph (2);
- (4) describe the methodology that such agency will use to evaluate the success of the activities established under paragraph (2) in achieving the goals and meeting the priorities described in paragraph (1);
- (5) describe the procedures that such agency will use to involve libraries and library users throughout the State in policy decisions regarding implementation of this subchapter;
- (6) describe how the State library administrative agency will work with other State agencies and offices where appropriate to coordinate resources, programs, and activities and leverage, but not replace, the Federal and State investment in-
 - (A) programs and activities under the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.] (including programs and activities under subparts 2 and 3 of part B of title II [20 U.S.C. 6641 et seq., 6661 et seq.], and parts A and B of title IV [20 U.S.C. 7101 et seq., 7171 et seq.], of such Act);
 - (B) early childhood education, including coordination with-
 - (i) the State's activities carried out under subsections (b)(4) and (e)(1) of section 9837 of title 42; and
 - (ii) the activities described in the State's strategic plan in accordance with section 9837b(a)(4)(B)(i) of title 42;
 - (C) workforce development, including coordination with-
 - (i) the activities carried out by the State workforce development board under section 101 of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111];
 - (ii) the State's one-stop delivery system established under section 121(e) of such Act [29 U.S.C. 3151(e)]; and
 - (iii) the activities carried out by the State in support of adult education and literacy under title II of such Act [29 U.S.C. 3271 et seq.]; and
 - (D) other Federal programs and activities that relate to library services, including economic, business, and community development, health information, critical thinking skills, digital literacy skills, financial literacy and other types of literacy skills;

(7) provide assurances that the State will comply with subsection (f); and

(8) provide assurances satisfactory to the Director that such agency will make such reports, in such form and containing such information, as the Director may reasonably require to carry out this subchapter and to determine the extent to which funds provided under this subchapter have been effective in carrying out the purposes of this subchapter.

(c) Evaluation and report

Each State library administrative agency receiving a grant under this subchapter shall independently evaluate, and report to the Director regarding, the activities assisted under this subchapter, prior to the end of the 5-year plan.

(d) Information

Each library receiving assistance under this subchapter shall submit to the State library administrative agency such information as such agency may require to meet the requirements of subsection (c).

(e) Approval

(1) In general

The Director shall approve any State plan under this subchapter that meets the requirements of this subchapter and provides satisfactory assurances that the provisions of such plan will be carried out.

(2) Public availability

Each State library administrative agency receiving a grant under this subchapter shall make the State plan available to the public, including through electronic means.

(3) Administration

If the Director determines that the State plan does not meet the requirements of this section, the Director shall-

(A) immediately notify the State library administrative agency of such determination and the reasons for such determination;

(B) offer the State library administrative agency the opportunity to revise its State plan;

(C) provide technical assistance in order to assist the State library administrative agency in meeting the requirements of this section; and

(D) provide the State library administrative agency the opportunity for a hearing.

(f) Internet safety

(1) In general

No funds made available under this subchapter for a library described in section 9122(1)(A) or (B) of this title that does not receive services at discount rates under section 254(h)(6) of title 47 may be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet, for such library unless-

(A) such library-

(i) has in place a policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are-

(I) obscene;

(II) child pornography; or

(III) harmful to minors; and

(ii) is enforcing the operation of such technology protection measure during any use of such computers by minors; and

(B) such library-

(i) has in place a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are-

(I) obscene; or

(II) child pornography; and

(ii) is enforcing the operation of such technology protection measure during any use of such computers.

(2) Access to other materials

Nothing in this subsection shall be construed to prohibit a library from limiting Internet access to or otherwise protecting against materials other than those referred to in subclauses (I), (II), and (III) of paragraph (1)(A)(i).

(3) Disabling during certain use

An administrator, supervisor, or other authority may disable a technology protection measure under paragraph (1) to enable access for bona fide research or other lawful purposes.

(4) Timing and applicability of implementation

(A) In general

A library covered by paragraph (1) shall certify the compliance of such library with the requirements of paragraph (1) as part of the application process for the next program funding year under this subchapter following the effective date of this subsection, and for each subsequent program funding year thereafter.

(B) Process**(i) Libraries with Internet safety policies and technology protection measures in place**

A library covered by paragraph (1) that has in place an Internet safety policy meeting the requirements of paragraph (1) shall certify its compliance with paragraph (1) during each annual program application cycle under this subchapter.

(ii) Libraries without Internet safety policies and technology protection measures in place

A library covered by paragraph (1) that does not have in place an Internet safety policy meeting the requirements of paragraph (1)-

(I) for the first program year after the effective date of this subsection in which the library applies for funds under this subchapter, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet safety policy that meets such requirements; and

(II) for the second program year after the effective date of this subsection in which the library applies for funds under this subchapter, shall certify that such library is in compliance with such requirements.

Any library covered by paragraph (1) that is unable to certify compliance with such requirements in such second program year shall be ineligible for all funding under this subchapter for such second program year and all subsequent program years until such time as such library comes into compliance with such requirements.

(iii) Waivers

Any library subject to a certification under clause (ii)(II) that cannot make the certification otherwise required by that clause may seek a waiver of that clause if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required by that clause. The library shall notify the Director of the Institute of Museum and Library Services of the applicability of that clause to the library. Such notice shall certify that the library will comply with the requirements in paragraph (1) before the start of the third program year after the effective date of this subsection for which the library is applying for funds under this subchapter.

(5) Noncompliance**(A) Use of General Education Provisions Act remedies**

Whenever the Director of the Institute of Museum and Library Services has reason to believe that any recipient of funds this ¹ subchapter is failing to comply substantially with the requirements of this subsection, the Director may-

- (i) withhold further payments to the recipient under this subchapter,
- (ii) issue a complaint to compel compliance of the recipient through a cease and desist order, or
- (iii) enter into a compliance agreement with a recipient to bring it into compliance with such requirements.

(B) Recovery of funds prohibited

The actions authorized by subparagraph (A) are the exclusive remedies available with respect to the failure of a library to comply substantially with a provision of this subsection, and the Director shall not seek a recovery of funds from the recipient for such failure.

(C) Resumption of payments

Whenever the Director determines (whether by certification or other appropriate evidence) that a recipient of funds who is subject to the withholding of payments under subparagraph (A)(i) has cured the failure providing the basis for the withholding of payments, the Director shall cease the withholding of payments to the recipient under that subparagraph.

(6) Separability

If any provision of this subsection is held invalid, the remainder of this subsection shall not be affected thereby.

(7) Definitions

In this subsection:

(A) Child pornography

The term "child pornography" has the meaning given such term in section 2256 of title 18.

(B) Harmful to minors

The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that-

- (i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- (ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd

exhibition of the genitals; and

(iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

(C) Minor

The term "minor" means an individual who has not attained the age of 17.

(D) Obscene

The term "obscene" has the meaning applicable to such term in section 1460 of title 18.

(E) Sexual act; sexual contact

The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18.

(Pub. L. 94–462, title II, §224, as added Pub. L. 104–208, div. A, title I, §101(e) [title VII, §702], Sept. 30, 1996, 110 Stat. 3009–233 , 3009–300; amended Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1712(a)], Dec. 21, 2000, 114 Stat. 2763 , 2763A–340; Pub. L. 108–81, title II, §205, title V, §504(f), Sept. 25, 2003, 117 Stat. 999 , 1004; Pub. L. 111–340, title II, §204, Dec. 22, 2010, 124 Stat. 3600 ; Pub. L. 113–128, title V, §512(t)(2), July 22, 2014, 128 Stat. 1712 ; Pub. L. 114–95, title IX, §9215(aaa)(2), Dec. 10, 2015, 129 Stat. 2184 ; Pub. L. 115–410, §11, Dec. 31, 2018, 132 Stat. 5417 .)

EDITORIAL NOTES

REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsec. (b)(6)(A), is Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27 , which is classified generally to chapter 70 (§6301 et seq.) of this title. Subparts 2 and 3 of part B of title II of the Act are classified generally to subparts 2 (§6641 et seq.) and 3 (§6661 et seq.), respectively, of subchapter II of chapter 70 of this title. Parts A and B of title IV of the Act are classified generally to parts A (§7101 et seq.) and B (§7171 et seq.), respectively, of subchapter IV of chapter 70 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

The Workforce Innovation and Opportunity Act, referred to in subsec. (b)(6)(C)(iii), is Pub. L. 113–128, July 22, 2014, 128 Stat. 1425 . Title II of the Act, known as the Adult Education and Family Literacy Act, is classified generally to subchapter II (§3271 et seq.) of chapter 32 of Title 29, Labor. For complete classification of these Acts to the Code, see sections 1(a) and 201 of Pub. L. 113–128, set out as Short Title notes under section 3101 of Title 29 and Tables.

For the effective date of this subsection, referred to in subsec. (f)(4), as 120 days after Dec. 21, 2000, see §1(a)(4) [div. B, title XVII, §1712(b)] of Pub. L. 106–554, set out as an Effective Date of 2000 Amendment note below.

The General Education Provisions Act, referred to in subsec. (f)(5)(A), is title IV of Pub. L. 90–247, Jan. 2, 1968, 81 Stat. 814 , which is classified generally to chapter 31 (§1221 et seq.) of this title. For complete classification of this Act to the Code, see section 1221 of this title and Tables.

AMENDMENTS

2018-Subsec. (b)(6)(A). Pub. L. 115–410, §11(1), added subpar. (A) and struck out former subpar. (A) which read as follows: "elementary and secondary education, including coordination with the activities within the State that are supported by a grant under section 6646 of this title;"

Subsec. (b)(6)(C)(iii). Pub. L. 115–410, §11(2), added cl. (iii).

Subsec. (b)(6)(D). Pub. L. 115–410, §11(3), inserted ", business," after "economic" and substituted ", health information, critical thinking skills, digital literacy skills, financial literacy and other types of literacy skills" for "and health information".

2015-Subsec. (b)(6)(A). Pub. L. 114–95 substituted "including coordination with the activities within the State that are supported by a grant under section 6646 of this title" for "including coordination with the activities within the State that are supported by a grant under section 6383 of this title".

2014-Subsec. (b)(6)(C)(i). Pub. L. 113–128, §512(t)(2)(A), substituted "the activities carried out by the State workforce development board under section 3111 of title 29" for "the activities carried out by the State workforce investment board under section 2821(d) of title 29".

Subsec. (b)(6)(C)(ii). Pub. L. 113–128, §512(t)(2)(B), substituted "the State's one-stop delivery system established under section 3151(e) of title 29" for "the State's one-stop delivery system established under section 2864(c) of title 29".

2010-Subsec. (b)(6) to (8). Pub. L. 111–340, §204(1), added par. (6) and redesignated former pars. (6) and (7) as (7) and (8), respectively.

Subsec. (e)(2). Pub. L. 111–340, §204(2), inserted ", including through electronic means" before period at end.

2003-Subsec. (a)(1). Pub. L. 108–81, §205(1), substituted "once every 5 years, as determined by the Director." for "not later than April 1, 1997."

Subsec. (b)(5). Pub. L. 108–81, §504(f), struck out "and" at end.

Subsec. (f). Pub. L. 108–81, §205(2)(A), substituted "this subchapter" for "this chapter" wherever appearing.

Subsec. (f)(1). Pub. L. 108–81, §205(2)(B), substituted "section 9122(1)(A) or (B)" for "9122(2)(A) or (B)" and made technical amendment to reference in original act which appears in text as reference to section 254(h)(6) of title 47.

Subsec. (f)(7). Pub. L. 108–81, §205(2)(C)(i), substituted "subsection:" for "section:" in introductory provisions.

Subsec. (f)(7)(D). Pub. L. 108–81, §205(2)(C)(ii), substituted "applicable to" for "given".

2000-Subsec. (b)(6), (7). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1712(a)(1)], added par. (6) and redesignated former par. (6) as (7).

Subsec. (f). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1712(a)(2)], added subsec. (f).

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113–128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113–128, set out as an Effective Date note under section 3101 of Title 29, Labor.

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1712(b)], Dec. 21, 2000, 114 Stat. 2763 , 2763A-343, provided that: "The amendment made by this section [amending this section] shall take effect 120 days after the date of the enactment of this Act [Dec. 21, 2000]."

AVAILABILITY OF CERTAIN FUNDS FOR ACQUISITION OF TECHNOLOGY PROTECTION MEASURES

Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(g)], Dec. 21, 2000, 114 Stat. 2763 , 2763A-350, as amended by Pub. L. 114–95, title IX, §9215(q), Dec. 10, 2015, 129 Stat. 2171 , provided that:

"(1) IN GENERAL.—Notwithstanding any other provision of law, funds available under part B of title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6361 et seq.], or under section 231 of the Library Services and Technology Act [20 U.S.C. 9141], may be used for the purchase or acquisition of technology protection measures that are necessary to meet the requirements of this title [see Short Title of 2000 Amendments note set out under section 6301 of this title] and the amendments made by this title. No other sources of funds for the purchase or acquisition of such measures are authorized by this title, or the amendments made by this title.

"(2) TECHNOLOGY PROTECTION MEASURE DEFINED.—In this section, the term 'technology protection measure' has the meaning given that term in section 1703 [set out as a note under section 902 of Title 47, Telecommunications]."

¹ So in original. Probably should be preceded by "under".

18 USC 2256: Definitions for chapter

Text contains those laws in effect on April 9, 2024

From Title 18-CRIMES AND CRIMINAL PROCEDURE

PART I-CRIMES

CHAPTER 110-SEXUAL EXPLOITATION AND OTHER ABUSE OF CHILDREN

Jump To:[Source Credit](#)[Miscellaneous](#)[Codification](#)[Amendments](#)**§2256. Definitions for chapter**

For the purposes of this chapter, the term-

- (1) "minor" means any person under the age of eighteen years;
- (2)(A) Except as provided in subparagraph (B), "sexually explicit conduct" means actual or simulated-
 - (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;
 - (ii) bestiality;
 - (iii) masturbation;
 - (iv) sadistic or masochistic abuse; or
 - (v) lascivious exhibition of the anus, genitals, or pubic area of any person;
- (B) For purposes of subsection 8(B) ¹ of this section, "sexually explicit conduct" means-
 - (i) graphic sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex, or lascivious simulated sexual intercourse where the genitals, breast, or pubic area of any person is exhibited;
 - (ii) graphic or lascivious simulated;
 - (I) bestiality;
 - (II) masturbation; or
 - (III) sadistic or masochistic abuse; or
 - (iii) graphic or simulated lascivious exhibition of the anus, genitals, or pubic area of any person;
- (3) "producing" means producing, directing, manufacturing, issuing, publishing, or advertising;
- (4) "organization" means a person other than an individual;
- (5) "visual depiction" includes undeveloped film and videotape, data stored on computer disk or by electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format;
- (6) "computer" has the meaning given that term in section 1030 of this title;
- (7) "custody or control" includes temporary supervision over or responsibility for a minor whether legally or illegally obtained;
- (8) "child pornography" means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where-
 - (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
 - (B) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
 - (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.
- (9) "identifiable minor"-
 - (A) means a person-
 - (i)(I) who was a minor at the time the visual depiction was created, adapted, or modified; or
 - (II) whose image as a minor was used in creating, adapting, or modifying the visual depiction; and
 - (ii) who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature; and
 - (B) shall not be construed to require proof of the actual identity of the identifiable minor.

(10) "graphic", when used with respect to a depiction of sexually explicit conduct, means that a viewer can observe any part of the genitals or pubic area of any depicted person or animal during any part of the time that the sexually explicit conduct is being depicted; and

(11) the term "indistinguishable" used with respect to a depiction, means virtually indistinguishable, in that the depiction is such that an ordinary person viewing the depiction would conclude that the depiction is of an actual minor engaged in sexually explicit conduct. This definition does not apply to depictions that are drawings, cartoons, sculptures, or paintings depicting minors or adults.

(Added Pub. L. 95–225, §2(a), Feb. 6, 1978, 92 Stat. 8 , §2253; renumbered §2255 and amended Pub. L. 98–292, §5, May 21, 1984, 98 Stat. 205 ; renumbered §2256, Pub. L. 99–500, §101(b) [title VII, §703(a)], Oct. 18, 1986, 100 Stat. 1783–39 , 1783-74, and Pub. L. 99–591, §101(b) [title VII, §703(a)], Oct. 30, 1986, 100 Stat. 3341–39 , 3341-74; Pub. L. 99–628, §4, Nov. 7, 1986, 100 Stat. 3510 ; Pub. L. 100–690, title VII, §§7511(c), 7512(b), Nov. 18, 1988, 102 Stat. 4485 , 4486; Pub. L. 104–208, div. A, title I, §101(a) [title I, §121[2]], Sept. 30, 1996, 110 Stat. 3009 , 3009-26, 3009-27; Pub. L. 108–21, title V, §502(a)–(c), Apr. 30, 2003, 117 Stat. 678 , 679; Pub. L. 110–401, title III, §302, Oct. 13, 2008, 122 Stat. 4242 ; Pub. L. 115–299, §7(c), Dec. 7, 2018, 132 Stat. 4389 .)

EDITORIAL NOTES

CODIFICATION

Pub. L. 99–591 is a corrected version of Pub. L. 99–500.

AMENDMENTS

2018–Par. (2)(A)(v), (B)(iii). Pub. L. 115–299 substituted "anus, genitals, or" for "genitals or".

2008–Par. (5). Pub. L. 110–401 struck out "and" before "data stored" and inserted ", and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format" before semicolon at end.

2003–Par. (2). Pub. L. 108–21, §502(b), amended par. (2) generally. Prior to amendment, par. (2) read as follows:

"(2) 'sexually explicit conduct' means actual or simulated-

"(A) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;

"(B) bestiality;

"(C) masturbation;

"(D) sadistic or masochistic abuse; or

"(E) lascivious exhibition of the genitals or pubic area of any person;"

Par. (8)(B). Pub. L. 108–21, §502(a)(1), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: "such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;"

Par. (8)(C). Pub. L. 108–21, §502(a)(2), substituted a period for "; or" at end.

Par. (8)(D). Pub. L. 108–21, §502(a)(3), struck out subpar. (D) which read as follows: "such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct; and".

Pars. (10), (11). Pub. L. 108–21, §502(c), added pars. (10) and (11).

1996–Par. (5). Pub. L. 104–208, §101(a) [title I, §121[2(1)]], inserted ", and data stored on computer disk or by electronic means which is capable of conversion into a visual image" before semicolon at end.

Pars. (8), (9). Pub. L. 104–208, §101(a) [title I, §121[2(2)–(4)]], added pars. (8) and (9).

1988–Par. (6). Pub. L. 100–690, §7511(c), added par. (6).

Par. (7). Pub. L. 100–690, §7512(b), added par. (7).

1986–Pub. L. 99–500 and Pub. L. 99–591 renumbered section 2255 of this title as this section.

Par. (5). Pub. L. 99–628, which directed that par. (5) be added to section 2255 of this title, was executed by adding par. (5) to section 2256 of this title to reflect the probable intent of Congress and the renumbering of section 2255 as 2256 by Pub. L. 99–500 and Pub. L. 99–591.

1984–Pub. L. 98–292, §5(b), renumbered section 2253 of this title as this section.

Par. (1). Pub. L. 98–292, §5(a)(1), substituted "eighteen" for "sixteen".

Par. (2)(D). Pub. L. 98–292, §5(a)(2), (3), substituted "sadistic or masochistic" for "sado-masochistic" and struck out "(for the purpose of sexual stimulation)" after "abuse".

Par. (2)(E). Pub. L. 98–292, §5(a)(4), substituted "lascivious" for "lewd".

Par. (3). Pub. L. 98–292, §5(a)(5), struck out ", for pecuniary profit" after "advertising".

Par. (4). Pub. L. 98–292, §5(a)(6), substituted " 'organization' means a person other than an individual" for " 'visual or print medium' means any film, photograph, negative, slide, book, magazine, or other visual or print medium".

STATUTORY NOTES AND RELATED SUBSIDIARIES

CONFIRMATION OF INTENT OF CONGRESS IN ENACTING SECTIONS 2252 AND 2256 OF THIS TITLE

For provisions declaring and confirming intent of Congress in enacting this section, see section 160003(a) of Pub. L. 103–322, set out as a note under section 2252 of this title.

¹ So in original. Probably should be "(8)(B)".

"Sexual Act" AND
"SEXUAL CONTACT"

18 USC 2246: Definitions for chapter
Text contains those laws in effect on April 9, 2024

From Title 18-CRIMES AND CRIMINAL PROCEDURE
PART I-CRIMES
CHAPTER 109A-SEXUAL ABUSE

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§2246. Definitions for chapter

As used in this chapter-

(1) the term "prison" means a correctional, detention, or penal facility;

(2) the term "sexual act" means-

(A) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;

(B) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;

(C) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or

(D) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;

(3) the term "sexual contact" means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;

(4) the term "serious bodily injury" means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty;

(5) the term "official detention" means-

(A) detention by a Federal officer or employee, or under the direction of a Federal officer or employee, following arrest for an offense; following surrender in lieu of arrest for an offense; following a charge or conviction of an offense, or an allegation or finding of juvenile delinquency; following commitment as a material witness; following civil commitment in lieu of criminal proceedings or pending resumption of criminal proceedings that are being held in abeyance, or pending extradition, deportation, or exclusion; or

(B) custody by a Federal officer or employee, or under the direction of a Federal officer or employee, for purposes incident to any detention described in subparagraph (A) of this paragraph, including transportation, medical diagnosis or treatment, court appearance, work, and recreation;

but does not include supervision or other control (other than custody during specified hours or days) after release on bail, probation, or parole, or after release following a finding of juvenile delinquency;

(6) the term "State" means a State of the United States, the District of Columbia, and any commonwealth, possession, or territory of the United States; and

(7) the term "Federal law enforcement officer" has the meaning given the term in section 115.

(Added Pub. L. 99-646, §87(b), Nov. 10, 1986, 100 Stat. 3622, §2245, and Pub. L. 99-654, §2, Nov. 14, 1986, 100 Stat. 3662, §2245; renumbered §2246 and amended Pub. L. 103-322, title IV, §40502, title VI, §60010(a)(1), Sept. 13, 1994, 108 Stat. 1945, 1972; Pub. L. 105-314, title III, §301(c), Oct. 30, 1998, 112 Stat. 2979; Pub. L. 117-103, div. W, title XII, §1202(e), Mar. 15, 2022, 136 Stat. 925.)

EDITORIAL NOTES

CODIFICATION

Pub. L. 99-646 and Pub. L. 99-654 added identical sections.

AMENDMENTS

2022-Par. (7). Pub. L. 117-103 added par. (7).

1998-Par. (6). Pub. L. 105–314 added par. (6).

1994-Pub. L. 103–322, §60010(a)(1), renumbered section 2245 of this title as this section.

Par. (2)(D). Pub. L. 103–322, §40502, added subpar. (D).

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117–103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117–103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

18 USC 1460: Possession with intent to sell, and sale, of obscene matter on Federal property

Text contains those laws in effect on April 9, 2024

From Title 18-CRIMES AND CRIMINAL PROCEDURE

PART I-CRIMES

CHAPTER 71-OBSCENITY

Jump To:[Source Credit](#)[Miscellaneous](#)[Amendments](#)**§1460. Possession with intent to sell, and sale, of obscene matter on Federal property**

(a) Whoever, either-

(1) in the special maritime and territorial jurisdiction of the United States, or on any land or building owned by, leased to, or otherwise used by or under the control of the Government of the United States; or

(2) in the Indian country as defined in section 1151 of this title,

knowingly sells or possesses with intent to sell an obscene visual depiction shall be punished by a fine in accordance with the provisions of this title or imprisoned for not more than 2 years, or both.

(b) For the purposes of this section, the term "visual depiction" includes undeveloped film and videotape but does not include mere words.

(Added Pub. L. 100-690, [title VII, §7526\(a\)](#), Nov. 18, 1988, 102 Stat. 4503 ; amended Pub. L. 101-647, [title III, §323\(c\)](#), Nov. 29, 1990, 104 Stat. 4819 .)**EDITORIAL NOTES****AMENDMENTS****1990-Subsec. (a).** Pub. L. 101-647, §323(c)(1), struck out "or a visual depiction of a minor engaging in or assisting another person to engage in sexually explicit conduct," after "visual depiction" in concluding provisions.**Subsec. (b).** Pub. L. 101-647, §323(c)(2), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "For the purposes of this section-

(1) the term 'visual depiction' includes undeveloped film and videotape but does not include mere words; and

(2) the terms 'minor' and 'sexually explicit conduct' have the meaning given those terms in chapter 110 of this title."

47 USC 254: Universal service

Text contains those laws in effect on April 9, 2024

From Title 47-TELECOMMUNICATIONS

CHAPTER 5-WIRE OR RADIO COMMUNICATION

SUBCHAPTER II-COMMON CARRIERS

Part II-Development of Competitive Markets

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§254. Universal service**(a) Procedures to review universal service requirements****(1) Federal-State Joint Board on universal service**

Within one month after February 8, 1996, the Commission shall institute and refer to a Federal-State Joint Board under section 410(c) of this title a proceeding to recommend changes to any of its regulations in order to implement sections 214(e) of this title and this section, including the definition of the services that are supported by Federal universal service support mechanisms and a specific timetable for completion of such recommendations. In addition to the members of the Joint Board required under section 410(c) of this title, one member of such Joint Board shall be a State-appointed utility consumer advocate nominated by a national organization of State utility consumer advocates. The Joint Board shall, after notice and opportunity for public comment, make its recommendations to the Commission 9 months after February 8, 1996.

(2) Commission action

The Commission shall initiate a single proceeding to implement the recommendations from the Joint Board required by paragraph (1) and shall complete such proceeding within 15 months after February 8, 1996. The rules established by such proceeding shall include a definition of the services that are supported by Federal universal service support mechanisms and a specific timetable for implementation. Thereafter, the Commission shall complete any proceeding to implement subsequent recommendations from any Joint Board on universal service within one year after receiving such recommendations.

(b) Universal service principles

The Joint Board and the Commission shall base policies for the preservation and advancement of universal service on the following principles:

(1) Quality and rates

Quality services should be available at just, reasonable, and affordable rates.

(2) Access to advanced services

Access to advanced telecommunications and information services should be provided in all regions of the Nation.

(3) Access in rural and high cost areas

Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.

(4) Equitable and nondiscriminatory contributions

All providers of telecommunications services should make an equitable and nondiscriminatory contribution to the preservation and advancement of universal service.

(5) Specific and predictable support mechanisms

There should be specific, predictable and sufficient Federal and State mechanisms to preserve and advance universal service.

(6) Access to advanced telecommunications services for schools, health care, and libraries

Elementary and secondary schools and classrooms, health care providers, and libraries should have access to advanced telecommunications services as described in subsection (h).

(7) Additional principles

Such other principles as the Joint Board and the Commission determine are necessary and appropriate for the protection of the public interest, convenience, and necessity and are consistent with this chapter.

(c) Definition**(1) In general**

Universal service is an evolving level of telecommunications services that the Commission shall establish periodically under this section, taking into account advances in telecommunications and information technologies and services. The Joint Board in recommending, and the Commission in establishing, the definition of the services that are supported by Federal universal service support mechanisms shall consider the extent to which such telecommunications services-

(A) are essential to education, public health, or public safety;

(B) have, through the operation of market choices by customers, been subscribed to by a substantial majority of residential customers;

(C) are being deployed in public telecommunications networks by telecommunications carriers; and

(D) are consistent with the public interest, convenience, and necessity.

(2) Alterations and modifications

The Joint Board may, from time to time, recommend to the Commission modifications in the definition of the services that are supported by Federal universal service support mechanisms.

(3) Special services

In addition to the services included in the definition of universal service under paragraph (1), the Commission may designate additional services for such support mechanisms for schools, libraries, and health care providers for the purposes of subsection (h).

(d) Telecommunications carrier contribution

Every telecommunications carrier that provides interstate telecommunications services shall contribute, on an equitable and nondiscriminatory basis, to the specific, predictable, and sufficient mechanisms established by the Commission to preserve and advance universal service. The Commission may exempt a carrier or class of carriers from this requirement if the carrier's telecommunications activities are limited to such an extent that the level of such carrier's contribution to the preservation and advancement of universal service would be de minimis. Any other provider of interstate telecommunications may be required to contribute to the preservation and advancement of universal service if the public interest so requires.

(e) Universal service support

After the date on which Commission regulations implementing this section take effect, only an eligible telecommunications carrier designated under section 214(e) of this title shall be eligible to receive specific Federal universal service support. A carrier that receives such support shall use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Any such support should be explicit and sufficient to achieve the purposes of this section.

(f) State authority

A State may adopt regulations not inconsistent with the Commission's rules to preserve and advance universal service. Every telecommunications carrier that provides intrastate telecommunications services shall contribute, on an equitable and nondiscriminatory basis, in a manner determined by the State to the preservation and advancement of universal service in that State. A State may adopt regulations to provide for additional definitions and standards to preserve and advance universal service within that State only to the extent that such regulations adopt additional specific, predictable, and sufficient mechanisms to support such definitions or standards that do not rely on or burden Federal universal service support mechanisms.

(g) Interexchange and interstate services

Within 6 months after February 8, 1996, the Commission shall adopt rules to require that the rates charged by providers of interexchange telecommunications services to subscribers in rural and high cost areas shall be no higher than the rates charged by each such provider to its subscribers in urban areas. Such rules shall also require that a provider of interstate interexchange telecommunications services shall provide such services to its subscribers in each State at rates no higher than the rates charged to its subscribers in any other State.

(h) Telecommunications services for certain providers**(1) In general****(A) Health care providers for rural areas**

A telecommunications carrier shall, upon receiving a bona fide request, provide telecommunications services which are necessary for the provision of health care services in a State, including instruction relating to such services, to any public or nonprofit health care provider that serves persons who reside in rural areas in that State at rates that are reasonably comparable to rates charged for similar services in urban areas in that State. A telecommunications carrier providing service under this paragraph shall be entitled to have an amount equal to the

difference, if any, between the rates for services provided to health care providers for rural areas in a State and the rates for similar services provided to other customers in comparable rural areas in that State treated as a service obligation as a part of its obligation to participate in the mechanisms to preserve and advance universal service.

(B) Educational providers and libraries

All telecommunications carriers serving a geographic area shall, upon a bona fide request for any of its services that are within the definition of universal service under subsection (c)(3), provide such services to elementary schools, secondary schools, and libraries for educational purposes at rates less than the amounts charged for similar services to other parties. The discount shall be an amount that the Commission, with respect to interstate services, and the States, with respect to intrastate services, determine is appropriate and necessary to ensure affordable access to and use of such services by such entities. A telecommunications carrier providing service under this paragraph shall-

- (i) have an amount equal to the amount of the discount treated as an offset to its obligation to contribute to the mechanisms to preserve and advance universal service, or
- (ii) notwithstanding the provisions of subsection (e) of this section, receive reimbursement utilizing the support mechanisms to preserve and advance universal service.

(2) Advanced services

The Commission shall establish competitively neutral rules-

(A) to enhance, to the extent technically feasible and economically reasonable, access to advanced telecommunications and information services for all public and nonprofit elementary and secondary school classrooms, health care providers, and libraries; and

(B) to define the circumstances under which a telecommunications carrier may be required to connect its network to such public institutional telecommunications users.

(3) Terms and conditions

Telecommunications services and network capacity provided to a public institutional telecommunications user under this subsection may not be sold, resold, or otherwise transferred by such user in consideration for money or any other thing of value.

(4) Eligibility of users

No entity listed in this subsection shall be entitled to preferential rates or treatment as required by this subsection, if such entity operates as a for-profit business, is a school described in paragraph (7)(A) with an endowment of more than \$50,000,000, or is a library or library consortium not eligible for assistance from a State library administrative agency under the Library Services and Technology Act [20 U.S.C. 9121 et seq.].

(5) Requirements for certain schools with computers having Internet access

(A) Internet safety

(i) In general

Except as provided in clause (ii), an elementary or secondary school having computers with Internet access may not receive services at discount rates under paragraph (1)(B) unless the school, school board, local educational agency, or other authority with responsibility for administration of the school-

- (I) submits to the Commission the certifications described in subparagraphs (B) and (C);
- (II) submits to the Commission a certification that an Internet safety policy has been adopted and implemented for the school under subsection (I); and
- (III) ensures the use of such computers in accordance with the certifications.

(ii) Applicability

The prohibition in clause (i) shall not apply with respect to a school that receives services at discount rates under paragraph (1)(B) only for purposes other than the provision of Internet access, Internet service, or internal connections.

(iii) Public notice; hearing

An elementary or secondary school described in clause (i), or the school board, local educational agency, or other authority with responsibility for administration of the school, shall provide reasonable public notice and hold at least one public hearing or meeting to address the proposed Internet safety policy. In the case of an elementary or secondary school other than an elementary school or a secondary school as defined in section 7801 of title 20, the notice and hearing required by this clause may be limited to those members of the public with a relationship to the school.

(B) Certification with respect to minors

A certification under this subparagraph is a certification that the school, school board, local educational agency, or other authority with responsibility for administration of the school-

- (i) is enforcing a policy of Internet safety for minors that includes monitoring the online activities of minors and the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are-
 - (I) obscene;

- (II) child pornography; or
- (III) harmful to minors;

(ii) is enforcing the operation of such technology protection measure during any use of such computers by minors; and

(iii) as part of its Internet safety policy is educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

(C) Certification with respect to adults

A certification under this paragraph is a certification that the school, school board, local educational agency, or other authority with responsibility for administration of the school-

(i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are-

- (I) obscene; or
- (II) child pornography; and

(ii) is enforcing the operation of such technology protection measure during any use of such computers.

(D) Disabling during adult use

An administrator, supervisor, or other person authorized by the certifying authority under subparagraph (A)(i) may disable the technology protection measure concerned, during use by an adult, to enable access for bona fide research or other lawful purpose.

(E) Timing of implementation

(i) In general

Subject to clause (ii) in the case of any school covered by this paragraph as of the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, the certification under subparagraphs (B) and (C) shall be made-

- (I) with respect to the first program funding year under this subsection following such effective date, not later than 120 days after the beginning of such program funding year; and
- (II) with respect to any subsequent program funding year, as part of the application process for such program funding year.

(ii) Process

(I) Schools with Internet safety policy and technology protection measures in place

A school covered by clause (i) that has in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C) shall certify its compliance with subparagraphs (B) and (C) during each annual program application cycle under this subsection, except that with respect to the first program funding year after the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, the certifications shall be made not later than 120 days after the beginning of such first program funding year.

(II) Schools without Internet safety policy and technology protection measures in place

A school covered by clause (i) that does not have in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C)-

(aa) for the first program year after the effective date of this subsection in which it is applying for funds under this subsection, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C); and

(bb) for the second program year after the effective date of this subsection in which it is applying for funds under this subsection, shall certify that it is in compliance with subparagraphs (B) and (C).

Any school that is unable to certify compliance with such requirements in such second program year shall be ineligible for services at discount rates or funding in lieu of services at such rates under this subsection for such second year and all subsequent program years under this subsection, until such time as such school comes into compliance with this paragraph.

(III) Waivers

Any school subject to subclause (II) that cannot come into compliance with subparagraphs (B) and (C) in such second year program may seek a waiver of subclause (II)(bb) if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required by such subclause. A school, school board, local educational agency, or other authority with responsibility for administration of the school shall notify the Commission of the applicability of such subclause to the school. Such notice shall certify that the school in question will be brought into compliance before the start of the third

program year after the effective date of this subsection in which the school is applying for funds under this subsection.

(F) Noncompliance

(i) Failure to submit certification

Any school that knowingly fails to comply with the application guidelines regarding the annual submission of certification required by this paragraph shall not be eligible for services at discount rates or funding in lieu of services at such rates under this subsection.

(ii) Failure to comply with certification

Any school that knowingly fails to ensure the use of its computers in accordance with a certification under subparagraphs (B) and (C) shall reimburse any funds and discounts received under this subsection for the period covered by such certification.

(iii) Remedy of noncompliance

(I) Failure to submit

A school that has failed to submit a certification under clause (i) may remedy the failure by submitting the certification to which the failure relates. Upon submittal of such certification, the school shall be eligible for services at discount rates under this subsection.

(II) Failure to comply

A school that has failed to comply with a certification as described in clause (ii) may remedy the failure by ensuring the use of its computers in accordance with such certification. Upon submittal to the Commission of a certification or other appropriate evidence of such remedy, the school shall be eligible for services at discount rates under this subsection.

(6) Requirements for certain libraries with computers having Internet access

(A) Internet safety

(i) In general

Except as provided in clause (ii), a library having one or more computers with Internet access may not receive services at discount rates under paragraph (1)(B) unless the library-

- (I) submits to the Commission the certifications described in subparagraphs (B) and (C); and
- (II) submits to the Commission a certification that an Internet safety policy has been adopted and implemented for the library under subsection (I); and
- (III) ensures the use of such computers in accordance with the certifications.

(ii) Applicability

The prohibition in clause (i) shall not apply with respect to a library that receives services at discount rates under paragraph (1)(B) only for purposes other than the provision of Internet access, Internet service, or internal connections.

(iii) Public notice; hearing

A library described in clause (i) shall provide reasonable public notice and hold at least one public hearing or meeting to address the proposed Internet safety policy.

(B) Certification with respect to minors

A certification under this subparagraph is a certification that the library-

- (i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are-
 - (I) obscene;
 - (II) child pornography; or
 - (III) harmful to minors; and

- (ii) is enforcing the operation of such technology protection measure during any use of such computers by minors.

(C) Certification with respect to adults

A certification under this paragraph is a certification that the library-

- (i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are-
 - (I) obscene; or
 - (II) child pornography; and

- (ii) is enforcing the operation of such technology protection measure during any use of such computers.

(D) Disabling during adult use

An administrator, supervisor, or other person authorized by the certifying authority under subparagraph (A)(i) may disable the technology protection measure concerned, during use by an adult, to enable access for bona fide research or other lawful purpose.

(E) Timing of implementation**(i) In general**

Subject to clause (ii) in the case of any library covered by this paragraph as of the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, the certification under subparagraphs (B) and (C) shall be made-

- (I) with respect to the first program funding year under this subsection following such effective date, not later than 120 days after the beginning of such program funding year; and
- (II) with respect to any subsequent program funding year, as part of the application process for such program funding year.

(ii) Process**(I) Libraries with Internet safety policy and technology protection measures in place**

A library covered by clause (i) that has in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C) shall certify its compliance with subparagraphs (B) and (C) during each annual program application cycle under this subsection, except that with respect to the first program funding year after the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, the certifications shall be made not later than 120 days after the beginning of such first program funding year.

(II) Libraries without Internet safety policy and technology protection measures in place

A library covered by clause (i) that does not have in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C)-

- (aa) for the first program year after the effective date of this subsection in which it is applying for funds under this subsection, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C); and
- (bb) for the second program year after the effective date of this subsection in which it is applying for funds under this subsection, shall certify that it is in compliance with subparagraphs (B) and (C).

Any library that is unable to certify compliance with such requirements in such second program year shall be ineligible for services at discount rates or funding in lieu of services at such rates under this subsection for such second year and all subsequent program years under this subsection, until such time as such library comes into compliance with this paragraph.

(III) Waivers

Any library subject to subclause (II) that cannot come into compliance with subparagraphs (B) and (C) in such second year may seek a waiver of subclause (II)(bb) if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required by such subclause. A library, library board, or other authority with responsibility for administration of the library shall notify the Commission of the applicability of such subclause to the library. Such notice shall certify that the library in question will be brought into compliance before the start of the third program year after the effective date of this subsection in which the library is applying for funds under this subsection.

(F) Noncompliance**(i) Failure to submit certification**

Any library that knowingly fails to comply with the application guidelines regarding the annual submission of certification required by this paragraph shall not be eligible for services at discount rates or funding in lieu of services at such rates under this subsection.

(ii) Failure to comply with certification

Any library that knowingly fails to ensure the use of its computers in accordance with a certification under subparagraphs (B) and (C) shall reimburse all funds and discounts received under this subsection for the period covered by such certification.

(iii) Remedy of noncompliance**(I) Failure to submit**

A library that has failed to submit a certification under clause (i) may remedy the failure by submitting the certification to which the failure relates. Upon submittal of such certification, the library shall be eligible for services at discount rates under this subsection.

(II) Failure to comply

A library that has failed to comply with a certification as described in clause (ii) may remedy the failure by ensuring the use of its computers in accordance with such certification. Upon submittal to the Commission of a certification or other appropriate evidence of such remedy, the library shall be eligible for services at discount rates under this subsection.

(7) Definitions

For purposes of this subsection:

(A) Elementary and secondary schools

The term "elementary and secondary schools" means elementary schools and secondary schools, as defined in section 7801 of title 20.

(B) Health care provider

The term "health care provider" means-

- (i) post-secondary educational institutions offering health care instruction, teaching hospitals, and medical schools;
- (ii) community health centers or health centers providing health care to migrants;
- (iii) local health departments or agencies;
- (iv) community mental health centers;
- (v) not-for-profit hospitals;
- (vi) rural health clinics;
- (vii) skilled nursing facilities (as defined in section 395i-3(a) of title 42); and
- (viii) consortia of health care providers consisting of one or more entities described in clauses (i) through (vii).

(C) Public institutional telecommunications user

The term "public institutional telecommunications user" means an elementary or secondary school, a library, or a health care provider as those terms are defined in this paragraph.

(D) Minor

The term "minor" means any individual who has not attained the age of 17 years.

(E) Obscene

The term "obscene" has the meaning given such term in section 1460 of title 18.

(F) Child pornography

The term "child pornography" has the meaning given such term in section 2256 of title 18.

(G) Harmful to minors

The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that-

- (i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- (ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- (iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

(H) Sexual act; sexual contact

The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18.

(I) Technology protection measure

The term "technology protection measure" means a specific technology that blocks or filters Internet access to the material covered by a certification under paragraph (5) or (6) to which such certification relates.

(i) Consumer protection

The Commission and the States should ensure that universal service is available at rates that are just, reasonable, and affordable.

(j) Lifeline assistance

Nothing in this section shall affect the collection, distribution, or administration of the Lifeline Assistance Program provided for by the Commission under regulations set forth in section 69.117 of title 47, Code of Federal Regulations, and other related sections of such title.

(k) Subsidy of competitive services prohibited

A telecommunications carrier may not use services that are not competitive to subsidize services that are subject to competition. The Commission, with respect to interstate services, and the States, with respect to intrastate services, shall establish any necessary cost allocation rules, accounting safeguards, and guidelines to ensure that services included in the definition of universal service bear no more than a reasonable share of the joint and common costs of facilities used to provide those services.

(l) Internet safety policy requirement for schools and libraries

(1) In general

In carrying out its responsibilities under subsection (h), each school or library to which subsection (h) applies shall-

(A) adopt and implement an Internet safety policy that addresses-

- (i) access by minors to inappropriate matter on the Internet and World Wide Web;
 - (ii) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
 - (iii) unauthorized access, including so-called "hacking", and other unlawful activities by minors online;
 - (iv) unauthorized disclosure, use, and dissemination of personal identification information regarding minors;
- and
- (v) measures designed to restrict minors' access to materials harmful to minors; and

(B) provide reasonable public notice and hold at least one public hearing or meeting to address the proposed Internet safety policy.

(2) Local determination of content

A determination regarding what matter is inappropriate for minors shall be made by the school board, local educational agency, library, or other authority responsible for making the determination. No agency or instrumentality of the United States Government may-

- (A) establish criteria for making such determination;
- (B) review the determination made by the certifying school, school board, local educational agency, library, or other authority; or
- (C) consider the criteria employed by the certifying school, school board, local educational agency, library, or other authority in the administration of subsection (h)(1)(B).

(3) Availability for review

Each Internet safety policy adopted under this subsection shall be made available to the Commission, upon request of the Commission, by the school, school board, local educational agency, library, or other authority responsible for adopting such Internet safety policy for purposes of the review of such Internet safety policy by the Commission.

(4) Effective date

This subsection shall apply with respect to schools and libraries on or after the date that is 120 days after December 21, 2000.

(June 19, 1934, ch. 652, title II, §254, as added Pub. L. 104–104, title I, §101(a), Feb. 8, 1996, 110 Stat. 71 ; amended Pub. L. 104–208, div. A, title I, §101(e) [title VII, §709(a)(8)], Sept. 30, 1996, 110 Stat. 3009–233 , 3009-313; Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §§1721(a)–(d), 1732], Dec. 21, 2000, 114 Stat. 2763 , 2763A-343 to 2763A-350; Pub. L. 107–110, title X, §1076(hh), Jan. 8, 2002, 115 Stat. 2094 ; Pub. L. 110–385, title II, §215, Oct. 10, 2008, 122 Stat. 4104 ; Pub. L. 114–95, title IX, §9215(s), Dec. 10, 2015, 129 Stat. 2171 ; Pub. L. 114–182, title II, §202(a), June 22, 2016, 130 Stat. 512 .)

EDITORIAL NOTES**REFERENCES IN TEXT**

This chapter, referred to in subsec. (b)(7), was in the original "this Act", meaning act [June 19, 1934, ch. 652](#), 48 Stat. 1064 , known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

The Library Services and Technology Act, referred to in subsec. (h)(4), is subtitle B (§§211–263) of title II of Pub. L. 94–462, as added by Pub. L. 104–208, [div. A, title I, §101\(e\) \[title VII, §702\]](#), Sept. 30, 1996, 110 Stat. 3009–233 , [3009-295](#), which is classified generally to subchapter II (§9121 et seq.) of chapter 72 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 9101 of Title 20 and Tables.

For the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, referred to in subsec. (h)(5)(E), (6)(E), as 120 days after Dec. 21, 2000, see §1(a)(4) [div. B, title VII, §1721(h)] of Pub. L. 106–554, set out as an Effective Date of 2000 Amendment note below.

The effective date of this subsection, referred to in subsec. (h)(5)(E), (6)(E), probably means the effective date of subsec. (h)(5) and (6) which is 120 days after Dec. 21, 2000, see §1(a)(4) [div. B, title VII, §1721(h)] of Pub. L. 106–554, set out as an Effective Date of 2000 Amendment note below.

AMENDMENTS

2016-Subsec. (h)(7)(B)(vii), (viii). Pub. L. 114–182 added cl. (vii), redesignated former cl. (vii) as (viii), and substituted "clauses (i) through (vii)" for "clauses (i) through (vi)" in cl. (viii).

2015-Subsec. (h)(5)(A)(iii). Pub. L. 114–95, §9215(s)(1), substituted "an elementary school or a secondary school as defined in section 7801 of title 20" for "an elementary or secondary school as defined

in section 8801 of title 20".

Subsec. (h)(7)(A). Pub. L. 114–95, §9215(s)(2), made technical amendment to reference in original act which appears in text as reference to section 7801 of title 20.

2008-Subsec. (h)(5)(B)(iii). Pub. L. 110–385 added cl. (iii).

2002-Subsec. (h)(7)(A). Pub. L. 107–110 substituted "section 7801" for "paragraphs (14) and (25), respectively, of section 8801".

2000-Subsec. (h)(4). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(d)], substituted "paragraph (7)(A)" for "paragraph (5)(A)".

Subsec. (h)(5). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(a)(2)], added par. (5). Former par. (5) redesignated (7).

Subsec. (h)(6). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(b)], added par. (6).

Subsec. (h)(7). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(a)(1)], redesignated par. (5) as (7).

Subsec. (h)(7)(D) to (I). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(c)], added subpars. (D) to (I).

Subsec. (I). Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1732], added subsec. (I).

1996-Subsec. (h)(4). Pub. L. 104–208 substituted "library or library consortium not eligible for assistance from a State library administrative agency under the Library Services and Technology Act" for "library not eligible for participation in State-based plans for funds under title III of the Library Services and Construction Act (20 U.S.C. 335c et seq.)".

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114–182, title II, §202(c), June 22, 2016, 130 Stat. 513 , provided that: "The amendments made by subsection (a) [amending this section] shall apply beginning on the date that is 180 days after the date of the enactment of this Act [June 22, 2016]."

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of Title 20, Education.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107–110, set out as an Effective Date note under section 6301 of Title 20, Education.

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(h)], Dec. 21, 2000, 114 Stat. 2763 , 2763A-350, provided that: "The amendments made by this section [amending this section and enacting provisions set out as notes under this section and section 7001 of Title 20, Education] shall take effect 120 days after the date of the enactment of this Act [Dec. 21, 2000]."

REGULATIONS

Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(f)], Dec. 21, 2000, 114 Stat. 2763 , 2763A-350, provided that:

"(1) REQUIREMENT.-The Federal Communications Commission shall prescribe regulations for purposes of administering the provisions of paragraphs (5) and (6) of section 254(h) of the Communications Act of 1934 [47 U.S.C. 254(h)], as amended by this section.

"(2) DEADLINE.-Notwithstanding any other provision of law, the Commission shall prescribe regulations under paragraph (1) so as to ensure that such regulations take effect 120 days after the date of the enactment of this Act [Dec. 21, 2000]."

Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1733], Dec. 21, 2000, 114 Stat. 2763 , 2763A-351, provided that: "Not later than 120 days after the date of enactment of this Act [Dec. 21, 2000], the Federal Communications Commission shall prescribe regulations for purposes of section 254(l) of the Communications Act of 1934 [47 U.S.C. 254(l)], as added by section 1732 of this Act."

SAVINGS CLAUSE

Pub. L. 114–182, title II, §202(b), June 22, 2016, 130 Stat. 512 , provided that: "Nothing in subsection (a) [amending this section] shall be construed to affect the aggregate annual cap on Federal universal

service support for health care providers under section 54.675 of title 47, Code of Federal Regulations, or any successor regulation."

SEPARABILITY

Pub. L. 106–554, §1(a)(4) [div. B, title XVII, §1721(e)], Dec. 21, 2000, 114 Stat. 2763 , 2763A-350, provided that: "If any provision of paragraph (5) or (6) of section 254(h) of the Communications Act of 1934 [47 U.S.C. 254(h)], as amended by this section, or the application thereof to any person or circumstance is held invalid, the remainder of such paragraph and the application of such paragraph to other persons or circumstances shall not be affected thereby."

FUNDING FOR E-RATE SUPPORT FOR EMERGENCY EDUCATIONAL CONNECTIONS AND DEVICES

Pub. L. 117–2, title VII, §7402, Mar. 11, 2021, 135 Stat. 109 , provided that:

"(a) REGULATIONS REQUIRED.—Not later than 60 days after the date of the enactment of this Act [Mar. 11, 2021], the Commission shall promulgate regulations providing for the provision, from amounts made available from the Emergency Connectivity Fund, of support under paragraphs (1)(B) and (2) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) to an eligible school or library, for the purchase during a COVID–19 emergency period of eligible equipment or advanced telecommunications and information services (or both), for use by—

"(1) in the case of a school, students and staff of the school at locations that include locations other than the school; and

"(2) in the case of a library, patrons of the library at locations that include locations other than the library.

"(b) SUPPORT AMOUNT.—In providing support under the covered regulations, the Commission shall reimburse 100 percent of the costs associated with the eligible equipment, advanced telecommunications and information services, or eligible equipment and advanced telecommunications and information services, except that any reimbursement of a school or library for the costs associated with any eligible equipment may not exceed an amount that the Commission determines, with respect to the request by the school or library for the reimbursement, is reasonable.

"(c) EMERGENCY CONNECTIVITY FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the 'Emergency Connectivity Fund'.

"(2) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Emergency Connectivity Fund for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

"(A) \$7,171,000,000, to remain available until September 30, 2030, for—

"(i) the provision of support under the covered regulations; and

"(ii) the Commission to adopt, and the Commission and the Universal Service Administrative Company to administer, the covered regulations; and

"(B) \$1,000,000, to remain available until September 30, 2030, for the Inspector General of the Commission to conduct oversight of support provided under the covered regulations.

"(3) LIMITATION.—Not more than 2 percent of the amount made available under paragraph (2)(A) may be used for the purposes described in clause (ii) of such paragraph.

"(4) RELATIONSHIP TO UNIVERSAL SERVICE CONTRIBUTIONS.—Support provided under the covered regulations shall be provided from amounts made available from the Emergency Connectivity Fund and not from contributions under section 254(d) of the Communications Act of 1934 (47 U.S.C. 254(d)).

"(d) DEFINITIONS.—In this section:

"(1) ADVANCED TELECOMMUNICATIONS AND INFORMATION SERVICES.—The term 'advanced telecommunications and information services' means advanced telecommunications and information services, as such term is used in section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)).

"(2) COMMISSION.—The term 'Commission' means the Federal Communications Commission.

"(3) CONNECTED DEVICE.—The term 'connected device' means a laptop computer, tablet computer, or similar end-user device that is capable of connecting to advanced telecommunications and information services.

"(4) COVERED REGULATIONS.—The term 'covered regulations' means the regulations promulgated under subsection (a).

"(5) COVID–19 EMERGENCY PERIOD.—The term 'COVID–19 emergency period' means a period that—

"(A) begins on the date of a determination by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) that a public health emergency exists as a result of COVID–19; and

"(B) ends on the June 30 that first occurs after the date that is 1 year after the date on which such determination (including any renewal thereof) terminates.

"(6) ELIGIBLE EQUIPMENT.-The term 'eligible equipment' means the following:

"(A) Wi-Fi hotspots.

"(B) Modems.

"(C) Routers.

"(D) Devices that combine a modem and router.

"(E) Connected devices.

"(7) ELIGIBLE SCHOOL OR LIBRARY.-The term 'eligible school or library' means an elementary school, secondary school, or library (including a Tribal elementary school, Tribal secondary school, or Tribal library) eligible for support under paragraphs (1)(B) and (2) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)).

"(8) EMERGENCY CONNECTIVITY FUND.-The term 'Emergency Connectivity Fund' means the fund established under subsection (c)(1).

"(9) LIBRARY.-The term 'library' includes a library consortium.

"(10) WI-FI.-The term 'Wi-Fi' means a wireless networking protocol based on Institute of Electrical and Electronics Engineers standard 802.11 (or any successor standard).

"(11) WI-FI HOTSPOT.-The term 'Wi-Fi hotspot' means a device that is capable of-

"(A) receiving advanced telecommunications and information services; and

"(B) sharing such services with a connected device through the use of Wi-Fi."

FCC COVID-19 TELEHEALTH PROGRAM

Pub. L. 116-260, div. N, title IX, §903, Dec. 27, 2020, 134 Stat. 2128 , provided that:

"(a) DEFINITIONS.-In this section-

"(1) the term 'appropriate congressional committees' means-

"(A) the Committee on Commerce, Science, and Transportation of the Senate; and

"(B) the Committee on Energy and Commerce of the House of Representatives;

"(2) the term 'Commission' means the Federal Communications Commission; and

"(3) the term 'COVID-19 Telehealth Program' or 'Program' means the COVID-19 Telehealth Program established by the Commission under the authority provided under the heading 'SALARIES AND EXPENSES' under the heading 'FEDERAL COMMUNICATIONS COMMISSION' under the heading 'INDEPENDENT AGENCIES' in title V of division B of the CARES Act (Public Law 116-136; 134 Stat. 531).

"(b) ADDITIONAL APPROPRIATION.-Out of amounts in the Treasury not otherwise appropriated, there is appropriated \$249,950,000 in additional funds for the COVID-19 Telehealth Program, of which \$50,000 shall be transferred by the Commission to the Inspector General of the Commission for oversight of the COVID-19 Telehealth Program.

"(c) ADMINISTRATIVE PROVISIONS.-

"(1) EVALUATION OF APPLICATIONS.-

"(A) PUBLIC NOTICE.-Not later than 10 days after the date of enactment of this Act [Dec. 27, 2020], the Commission shall issue a Public Notice establishing a 10-day period during which the Commission will seek comments on-

"(i) the metrics the Commission should use to evaluate applications for funding under this section; and

"(ii) how the Commission should treat applications filed during the funding rounds for awards from the COVID-19 Telehealth Program using amounts appropriated under the CARES Act (Public Law 116-36 [116-136]; 134 Stat. 281).

"(B) CONGRESSIONAL NOTICE.-After the end of the comment period under subparagraph (A), and not later than 15 days before the Commission first commits funds under this section, the Commission shall provide notice to the appropriate congressional committees of the metrics the Commission plans to use to evaluate applications for those funds.

"(2) EQUITABLE DISTRIBUTION.-To the extent feasible, the Commission shall ensure, in providing assistance under the COVID-19 Telehealth Program from amounts made available under subsection (b), that not less than 1 applicant in each of the 50 States and the District of Columbia has received funding from the Program since the inception of the Program, unless there is no such applicant eligible for such assistance in a State or in the District of Columbia, as the case may be.

"(3) PREVIOUS APPLICANTS.-The Commission shall allow an applicant who filed an application during the funding rounds for awards from the COVID-19 Telehealth Program using amounts appropriated under the CARES Act (Public Law 116-36 [116-136]; 134 Stat. 281) the opportunity to update or amend that application as necessary.

"(4) INFORMATION.-To the extent feasible, the Commission shall provide each applicant for funding from the COVID-19 Telehealth Program, if requested, with-

"(A) information on the status of the application; and

"(B) a rationale for the final funding decision for the application, after making that decision.

"(5) DENIAL.-If the Commission chooses to deny an application for funding from the COVID-19 Telehealth Program, the Commission shall-

"(A) issue notice to the applicant of the intent of the Commission to deny the application and the grounds for that decision;

"(B) provide the applicant with 10 days to submit any supplementary information that the applicant determines relevant; and

"(C) consider any supplementary information submitted under subparagraph (B) in making any final decision with respect to the application.

"(d) REPORT TO CONGRESS.-Not later than 90 days after the date of enactment of this Act, and every 30 days thereafter until all funds made available under this section have been expended, the Commission shall submit to the appropriate congressional committees a report on the distribution of funds appropriated for the COVID-19 Telehealth Program under the CARES Act (Public Law 116-36 [116-136]; 134 Stat. 281) or under this section, which shall include-

"(1) non-identifiable and aggregated data on deficient and rejected applications;

"(2) non-identifiable and aggregated data on applications for which no award determination was made;

"(3) information on the total number of applicants;

"(4) information on the total dollar amount of requests for awards made under this section; and

"(5) information on applicant outreach and technical assistance.

"(e) PAPERWORK REDUCTION ACT REQUIREMENTS.-A collection of information conducted or sponsored under any regulations required to implement this section shall not constitute a collection of information for the purposes of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the 'Paperwork Reduction Act')."

METHODOLOGY FOR COLLECTION OF MOBILE SERVICE COVERAGE DATA

Pub. L. 115-141, div. P, title V, §505, Mar. 23, 2018, 132 Stat. 1094 , provided that:

"(a) DEFINITIONS.-In this section-

"(1) the term 'commercial mobile data service' has the meaning given the term in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401);

"(2) the term 'commercial mobile service' has the meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d));

"(3) the term 'coverage data' means, if commercial mobile service or commercial mobile data service is available, general information about the service, which may include available speed tiers, radio frequency signal levels, and network and performance characteristics; and

"(4) the term 'Universal Service program' means the universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) and the regulations issued under that section.

"(b) METHODOLOGY ESTABLISHED.-Not later than 180 days after the conclusion of the Mobility Fund Phase II Auction, the Commission shall promulgate regulations to establish a methodology that shall apply to the collection of coverage data by the Commission [Federal Communications Commission] for the purposes of-

"(1) the Universal Service program; or

"(2) any other similar program.

"(c) REQUIREMENTS.-The methodology established under subsection (b) shall-

"(1) contain standard definitions for different available technologies such as 2G, 3G, 4G, and 4G LTE;

"(2) enhance the consistency and robustness of how the data are collected by different parties;

"(3) improve the validity and reliability of coverage data; and

"(4) increase the efficiency of coverage data collection."

DISCLAIMERS REGARDING INTERNET ACCESS AND PRIVACY

Pub. L. 106-554, §1(a)(4) [div. B, title XVII, §1702], Dec. 21, 2000, 114 Stat. 2763 , 2763A-336, provided that:

"(a) DISCLAIMER REGARDING CONTENT.-Nothing in this title [see Short Title of 2000 Amendments note set out under section 6301 of Title 20, Education] or the amendments made by this title shall be construed to prohibit a local educational agency, elementary or secondary school, or library from blocking access on the Internet on computers owned or operated by that agency, school, or library to any content other than content covered by this title or the amendments made by this title.

"(b) DISCLAIMER REGARDING PRIVACY.-Nothing in this title or the amendments made by this title shall be construed to require the tracking of Internet use by any identifiable minor or adult user."

EXPEDITED REVIEW

Pub. L. 106-554, §1(a)(4) [div. B, title XVII, §1741], Dec. 21, 2000, 114 Stat. 2763 , 2763A-351, provided that:

"(a) THREE-JUDGE DISTRICT COURT HEARING.-Notwithstanding any other provision of law, any civil action challenging the constitutionality, on its face, of this title [see Short Title of 2000 Amendments note set out under section 6301 of Title 20, Education] or any amendment made by this title, or any provision thereof, shall be heard by a district court of three judges convened pursuant to the provisions of section 2284 of title 28, United States Code.

"(b) APPELLATE REVIEW.-Notwithstanding any other provision of law, an interlocutory or final judgment, decree, or order of the court of three judges in an action under subsection (a) holding this title or an amendment made by this title, or any provision thereof, unconstitutional shall be reviewable as a matter of right by direct appeal to the Supreme Court. Any such appeal shall be filed not more than 20 days after entry of such judgment, decree, or order."

UNIVERSAL SERVICE FUND PAYMENT SCHEDULE

Pub. L. 105-33, title III, §3006, Aug. 5, 1997, 111 Stat. 269 , related to appropriations to the Universal Service Fund in support of programs established pursuant to rules implementing this section and adjustment of payments by telecommunications carriers and other providers of interstate telecommunications prior to repeal by Pub. L. 105-119, title VI, §622, Nov. 26, 1997, 111 Stat. 2521 . Section 622 of Pub. L. 105-119 provided further that: "This section shall be deemed a section of the Balanced Budget Act of 1997 [Pub. L. 105-33, see Tables for classification] for the purposes of section 10213 of that Act (111 Stat. 712) [2 U.S.C. 902 note], and shall be scored pursuant to paragraph (2) of such section."



MATERIALS SELECTION AND ACQUISITION POLICY

DRAFT
03/10/24

Statement of Purpose and Intent for Policy

The vocation of a librarian requires a commitment to freedom of speech and the celebration of diverse viewpoints unlike that found in any other occupation. The librarian curates and curtails the collection of reading materials for an entire community in a sense, and in doing so, he or she reinforces the bedrock principles on which this country was founded. According to the United States Supreme Court, "Public libraries pursue the worthy missions of facilitating learning and cultural enrichment." *United States v. Am. Library Ass'n. Inc.*, 539 U.S. 194, 203, 123 S. Ct. 2297, 156 L. Ed. 2d 221 (2003). To fulfill those worthy objectives, "public libraries must have broad discretion to decide what material to provide to their patrons." *Id.* at 204.

This policy defines the Community Library Network's responsibility to establish and maintain a balanced and diverse collection of materials that meet the informational, educational, and recreational needs of our residents, and to openly afford the public access to discussion, debate, and the dissemination of information and ideas.

Objective and Scope of Policy

This policy pertains only to the selection and new acquisitions of books and materials, [regardless if previously acquired, except for material that has been lost or damaged,] for the library's collection, not removal of existing library materials. Policy regarding retention, removal, or relocation of existing materials is outside the scope of this policy.

Responsibility

The elected board of trustees ultimately guides the selection process through this policy. The Library Director implements policies set by the board. Under the Director's guidance, selection is delegated to professional collection development library staff who are qualified by education, training and experience. All staff members and the general public are encouraged to recommend materials for consideration. Suggestions are evaluated by the staff based on the Library's criteria for selection.

Definitions- As Used in this Policy

Under this section "Harmful to minors" means that quality of any description, exhibition, presentation, or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when the material or performance has any of the following characteristics:

(A) The average person eighteen (18) years of age or older applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest in sex to minors;

(B) The average person eighteen (18) years of age or older applying contemporary community standards would find that the material or performance depicts or describes nudity, sexual conduct, sexual excitement, or sadomasochistic abuse in a manner that is patently offensive to prevailing standards in the adult community with respect to what is suitable for minors; and

(C) The material or performance lacks serious literary, scientific, medical, artistic, or political value for minors.

"Minor" means any person under eighteen (18) years of age.

"Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture, film, record, recording tape, CD-ROM disk, magnetic disk memory, magnetic tape memory, video tape, or other media, or any down-loadable or on-line digital content.

Nudity" means a:

(A) Showing or description of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering:

(B) Showing or description of the female breast with less than a fully opaque covering of any portion of the female breast below the top of the nipple; or

(C) Depiction or description of covered male genitals in a discernibly turgid state.

"Performance" means any motion picture, film, video tape, played record, phonograph or tape, preview, trailer, play, show, skit, dance, or other exhibition performed or presented to or before an audience of one (1) or more, with or without consideration.

"Sadomasochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask, or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of a person so clothed, or mutilation or physical alteration of genitals by or upon a person;

"Sexual conduct" means an act of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or female breast; and

"Sexual excitement" means the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

Selection Process

The Community Library Network seeks to purchase a wide range of materials that meet the informational, educational, and recreational needs of our residents in a variety of acceptable formats. The selection of materials is generally made by library staff based on clear and unambiguous written policies that infuse our

mission statement and accepted goals and priorities, published reviews, recommendations from library users, availability of materials at other libraries, an item's relation to the Library's existing collection, use analysis, space, price, and staff judgment and expertise.

Books and material with content that is "harmful to minors" as defined in this policy, shall be excluded from selection and acquisition for the library's non-adult collection.

The Community Library Network uses several criteria to determine the addition of an item whether purchased, requested, or donated.

- Authority and competency of presentation, author, or publisher
- Favorable reviews and inclusion in, but not limited to, reputable resources such as professional or trade journals
- Relation to existing collection
- Adequate standards of quality and durability in content, format, and physical appearance
- Current usefulness or lasting value (e.g. time-tested classics)
- Popularity and user demand, including hold demand counts on materials selected by other libraries in our consortium (CIN) that do not conflict with CLN policy
- Availability of materials through other libraries (Interlibrary Loan) or electronic resources
- Space requirements
- Representation of trends, subjects, or genres of local or national interest
- Price
- Format
- Appropriateness of subject and style for intended library users. For purposes of this criteria, **related to the library's non-adult collections**, "appropriateness" means a determination of whether such content is, in the opinion of the Board or Library staff, "harmful to minors as that term is specifically defined in this Policy.

Gifts

The Community Library Network welcomes donated books and other materials that are in good condition. Donated items may be used or disposed of in any way deemed appropriate and no conditions by donors can be made on materials donated. Donations are evaluated using the same criteria as purchased items. A receipt may be given to donors if requested with a number of items donated but no assessment of value will be made by library staff.

Review of Policy

This policy will be reviewed and revised every three years or updated as necessary. Approved by the Community Library Network Board of Trustees, **November xx, 2023**.



MATERIALS WITHDRAWAL AND RECONSIDERATION POLICY

Draft 1-18-24

This policy defines the Community Library Network's review criteria and disposition process for material to be removed from the collection. Materials are defined in the Materials Selection **and Acquisition** Policy.

Withdrawal of Materials (Weeding)

The Community Library Network attempts to keep its entire collection in a condition that is attractive and inviting to the user. The Collection Development Librarian and other staff use the CREW (Continuous Review and Evaluation for Weeding) method to keep the collection weeded. Criteria for selecting materials for withdrawal include:

- Damage and poor condition; material that is out of print and considered a classic will receive special consideration for retainment.
- Copies in excess of demand
- Obsolete information or format
- Lack of use or space
- Availability from other sources
- Community relevance
- ~~[Adherence to local community standards]~~

Materials Inappropriate for Minors

Notwithstanding Idaho Code 18:1517(d), Materials that violate Idaho Codes 18-1513, 18-1514, and 18-1515 shall be removed from ~~the juvenile and young non-adult~~ collections.

Disposition of Materials

Material which has been selected for removal from the collection during the weeding process will be relocated or disposed of using one of the following options:

- Dispose of materials
- Donate to friends of the library groups, other non-profit groups or other government agency
- If material is inappropriate for minors, but produced for adults, move to adult collection area

- If material is inappropriate for minors, but not produced for adults, move to a library location (other than the regular adult collection area) not accessible or displayed to minors and only made available to adults

Reconsideration of Material

If a library patron concludes that a specific item does not meet the guidelines set forth in this policy, they may fill out a Citizen's Request for Reconsideration of Material form. The completed form will be submitted to the District Director who will review the form for evaluation and recommendations. The Community Library Network is a member of the Cooperative Information Network (CIN) consortium, sharing and receiving materials from the other member libraries. Requests for reconsideration are only accepted from Community Library Network residents for Community Library Network owned materials. A review team of library staff will be selected to review the item fully using the material selection policy. The decision will be submitted to the library user within 30 days, if possible. If the patron is not satisfied with the decision, they may appeal the decision to the board of trustees in writing within 10 business days. The board will evaluate whether staff appropriately used the selection policy as a guide during the review process. The patron will be notified of the outcome. The board's decision is final. The item in question will not be removed from the shelf during the reconsideration process (except, as necessary, for examination during this process). An item will be evaluated for reconsideration only once in a 3 year period unless the board determines sufficient new compelling evidence is introduced.

Review of Policy

This policy will be reviewed and revised every three years or updated as necessary. Approved by the Community Library Network Board of Trustees, November xx, 2023.



Information for the April 18, 2024, Regular Board of Trustees Meeting

Discussion on Minute Taking – Chair Ottosen

Handouts:

1. ICfL trustee manual p81
2. Roberts Rules 48:2
3. Link to Jim McNall December 2022 ICRMP presentation to CLN
<https://youtu.be/HSXEhra84UY?feature=shared> (timestamp 1:05:45 - 1:06:55)



Idaho Trustee Manual: A Guide for Public Library Trustees

A convenient and reliable information source for current and prospective trustees and library directors on issues relating to public library governance.

Revision Date: October 19, 2021

Follow the Agenda

When compiling the minutes of a board meeting, it is important to follow the agenda. Using the agenda as the template for the minutes makes it easier for the board's secretary to follow and decreases the possibility of omitting information from the minutes.

Record Motions throughout the Meeting

- Listen attentively to discussions during the meeting.
- It is not necessary to capture discussions in detail.
- When a new motion is made, record the relevant information.
 - The exact wording of the motion;
 - The name of the trustee who made the motion. If the secretary is uncertain who made the motion or how to word the motion, it is all right to ask. Accuracy is important in the minutes;
 - The name of the trustee who seconded the motion (if required in the board's bylaws);
 - The result of the vote
- When a report or announcement is read aloud, a printed copy should be provided to the secretary, who will attach a copy of each report to the minutes before they are approved by the board.
- Meeting minutes are a record of what was done, not of what was said, so the secretary should record summaries of discussions only if asked to do so.
 - It is important to make notes as objective as possible
 - Record facts and points being made, not opinions
 - Use as few adjectives and adverbs as possible, to make the minutes as dry and factual as possible
 - It is important not to refer to trustees by name during the discussion summary
 - Transcribe the minutes as soon as possible after the meeting, when events are still fresh in your memory

- Use a computer, if possible, to save time and keep up with what is happening in the meeting
- Format notes into neat paragraphs in accordance with the agenda
- Have the draft minutes ready in time to go out with the board packet before the following meeting
- Once the minutes have been approved by the board, they are a legal record and cannot be revised.

THE CONTENT AND APPROVAL OF MINUTES

According to the *Robert's Rules of Order Newly Revised* (12th ed.)

For ordinary non-legislative groups, societies, or organizations, particularly those that specifically provide in their governing documents (constitution, bylaws, or special rules of order) that the current edition of *Robert's Rules of Order Newly Revised* is the parliamentary authority, the minutes should be “a record of what was done at the meeting, not what was said by the members.” [RONR (12th ed.) 48:2]

To add or delete from what RONR describes is supposed to be in the minutes requires adoption of a special rule of order (e.g. 2/3 vote), although a majority vote may direct the inclusion of specific additional information in the minutes of a particular meeting. [RONR (12th ed.) 48:3]

NOTE: It is not a point of personal privilege for a member to insist that ‘the minutes reflect’ any statement or record of any sort that has not been ordered by a majority vote of the members assembled.

FIRST PARAGRAPH [RONR (12th ed.) 48-4]:

1. the kind of meeting (regular, special, adjourned regular or adjourned special);
2. the name of the society or the assembly;
3. the date and time of the meeting, and the place, if it is not always the same;
4. the fact that the regular chairman and secretary were present or, in their absence, the names of the persons who substituted for them; and
5. whether the minutes of the previous meeting were read and approved—as read, or as corrected—and the date of that meeting if it was other than a regular business meeting. Any correction approved by the assembly is made in the text of the minutes being approved; the minutes of the meeting making the correction merely state that the minutes were approved “as corrected,” without specifying what the correction was (see first paragraph of form, 48:8).

BODY OF MINUTES:

The body of the minutes should contain a separate paragraph for each subject matter, giving, in the case of all-important motions, the name of the mover, and showing:

6. all main motions (10) or motions to bring a main question again before the assembly (6:25–27; 34–37) that were made or taken up—except, normally, any that were withdrawn—stating:
 - a. the wording in which each motion was adopted or otherwise disposed of (with the facts as to whether the motion may have been debated or amended before disposition being mentioned only parenthetically); and
 - b. the disposition of the motion, including—if it was temporarily disposed of (9:7–11, 38:8)—any primary and secondary amendments and all adhering secondary motions that were then pending;
7. secondary motions that were not lost or withdrawn, in cases where it is necessary to record them for completeness or clarity—for example, motions to Recess or to Fix the Time to Which to Adjourn (among the privileged motions), or motions to Suspend the Rules or grant a Request to Be Excused from a Duty (among the incidental motions), generally only alluding to the adoption of such motions, however, as “... the matter having been advanced in the agenda on motion of...” or “... a ballot vote having been ordered, the tellers...”;
8. the complete substance of oral committee reports that are permitted to be given in small assemblies in particular cases as provided in 51:60–62;
9. all notices of motions; [RONR (12th ed.) 10:44-51; and
10. all points of order and appeals, whether sustained or lost, together with the reasons given by the chair for his or her ruling;
11. the declaration by the chair in “naming” an offending member as a part of disciplinary procedures, as well as any disorderly words that led to such naming and that the chair directed the secretary to take down (see 61:12–14); and

LAST PARAGRAPH:

12. The last paragraph should state the hour of adjournment.

RONR (12th ed.) 48:5:

Additional rules and practices relating to the content of the minutes are the following:

- The name of the maker of a main motion, but not the seconder unless ordered by the assembly.
- When a count has been ordered or the vote is by ballot, the number of votes on each side should be entered; and when the voting is by roll call, the names of those voting on each side and those answering "Present" should be entered. If members fail to respond on a roll-call vote, enough of their names should be recorded as present to reflect that a quorum was present at the time of the vote. If the chair voted, no special mention of this fact is made in the minutes.
- The proceedings of a committee of the whole, or a quasi committee of the whole, should not be entered in the minutes, but the fact that the assembly went into committee of the whole (or into quasi committee) and the committee report should be recorded [see RONR (12th ed.) 52].
- When a question is considered informally, the same information should be recorded as under the regular rules, since the only informality in the proceedings is in the debate.
- When a committee report is of great importance or should be recorded to show the legislative history of a measure, the assembly can order it "to be entered in the minutes," in which case the secretary copies it in full in the minutes.
- The name and subject of a guest speaker can be given, but no effort should be made to summarize his remarks.

THE SIGNATURE. Minutes should be signed by the secretary and can also be signed, if the assembly wishes, by the president. The words *Respectfully submitted* - although occasionally used - represent an older practice that is not essential in signing the minutes

THINGS THAT DO NOT GO INTO THE MINUTES:

Unless required by law, bylaw, a special rule of order or are ordered by means of a main motion properly made, seconded and approved by a majority vote of the members at a meeting with a quorum present, these things do not go into the minutes,:

1. The name(s) of the person(s) who second(s) motions or resolutions;
2. Content or summary content of the debate or discussion of motions being considered;
3. The names of members speaking in favor or opposed to a motion or their statements;
4. Expressed opinions of members or officers, not in the language of the motion;
5. Minutes of standing or special committee meetings;
6. The number of members who abstain from voting, except when a roll call vote is ordered;
7. Any member's reasons for voting;
8. Any member's vote, except when a roll call vote is ordered;
9. Individual member's or non-member's demand for their remarks "to be in the minutes."
10. Letters, articles, petitions, extraneous facts introduced at the insistence of one or a minority;

THE "MINUTE BOOK"

"The minutes should be kept in a substantial book or binder." RONR (12th ed.) 48:1

"It must be understood in such a case that the formal copy placed in the minute book contains all corrections that were made and that none of the many copies circulated to members and marked by them is authoritative." RONR (12th ed.) 48:14

FORM OF THE MINUTES. The principles stated above are illustrated in the following model form for minutes (*Robert's Rules of Order Newly Revised* (12th ed., 48:8):

The regular monthly meeting of the L.M. Society was held on Thursday, January 4, 20__, at 8:30 P.M., at the Society's building, the President being in the chair and the Secretary being present. The minutes of the last meeting were read and approved as corrected.

The Treasurer reported the receipt of a bill from the Downs Construction Company in the amount of \$5,000 for the improvements recently made in the Society's building. The question put by the chair "that the bill be paid" was adopted.

Mr. Johnson, reporting on behalf of the Membership Committee, moved "that John R. Brown be admitted to membership in the Society." The motion was adopted after debate.

The report of the Program Committee was received and placed on file.

The special committee that was appointed to investigate and report on suitable parking facilities near the Society's building reported, through its chairman, Mrs. Smith, a resolution, which, after debate and amendment, was adopted as follows: "*Resolved*, That . . . [its exact words immediately before being acted upon, incorporating all amendments]."

The resolution relating to the use of the Society's library by nonmembers, which was postponed from the last meeting, was then taken up. This motion and a pending amendment were laid on the table after the chair announced that the guest speaker had received a phone message which would require his early departure.

The President introduced the guest speaker, Mr. James F. Mitchell, whose subject was _____.

At the conclusion of Mr. Mitchell's talk, the resolution relating to the use of the Society's library by nonmembers was taken from the table. After amendment and further debate, the resolution was adopted as follows: "*Resolved*, That . . . [its exact wording immediately before being finally voted on]."

Mr. Gordon moved "that the Society undertake the establishment of a summer camp for boys on its lakefront property." Mrs. Thomas moved to amend this motion by inserting the word "underprivileged" before "boys." On motion of Mr. Dorsey, the motion to establish the camp, with the pending amendment, was referred to a committee of three to be appointed by the chair with instructions to report at the next meeting. The chair appointed Messrs. Flynn, Dorsey, and Fine to the committee.

The meeting adjourned at 10:05 P.M.

Margaret Duffy, Secretary

APPROVAL OF THE MINUTES

According to the *Robert's Rules of Order Newly Revised* (12th ed.) 41:9-12, 48:9-15

The minutes of each regular or special meeting are normally read and approved at the beginning of the next regular meeting, immediately after the call to order and any opening ceremonies. (48:9)

A special meeting does not approve minutes of a previous session unless the meeting was called for that purpose, which is not ordinarily the case. (48:9)

In a session lasting longer than one day (like a convention), the minutes of meetings held the preceding day are read and approved at the beginning of each day's business after the first. (48:9)

In particular, an adjourned meeting of an ordinary society approves the minutes of the meeting that established the adjourned meeting; its own minutes are approved at the next adjourned or regular meeting, whichever occurs first. (48:9)

Procedure:

The chair says, "The Secretary will read the minutes." (41:9) Or, if drafts of the minutes have been sent to all members in advance, the chair announces that this has been done, and the actual reading of them aloud is omitted unless any member then requests that they be read. *NOTE: A draft of the minutes circulated to members must be clearly marked as such* (41:12).

If for any reason there are minutes of other meetings in addition to the last meeting that have not yet been approved, they are taken up from earliest to latest. (41:9)

A formal motion to approve the minutes is not necessary. (41:10)

The only proper way to object to the approval of the secretary's draft of the minutes is to offer a correction to it. (41:11)

With or without a formal motion, the chair asks, "Are there any corrections to the minutes?" (41:10)

Corrections, when proposed, are usually handled by unanimous consent, but if any member objects to a proposed correction, a motion to Amend may be moved. (41:10)

When there are no or no further corrections, the chair states, "Since there are no (or "nor further") correctons, the minutes are approved as circulated (or "as corrected"). (41:11)

When the minutes are approved, the word "Approved", with the secretary's initials (or the signature of the chairman of the approving committee) and the date, should be written below them. If the minutes are approved with corrections, the secretary should prepare a fully corrected version and distribute copies to the members as well as placing it in the minute book. (As noted in 48:4(5) all such corrections should be incorporated in the minutes to which they pertain, and not in the minutes of the meeting making the corrections.) (48:14)

Only the secretary's corrected version of the minutes is the official copy. (41:12)

If the assembly does not wish to carry out the approval of the minutes at the regular time, it may, by majority vote without debate, "dispense with the reading of the minutes." The minutes can then be taken up by majority vote without debate at any later time during the meeting while no business is pending, under the same rules as those governing *Take from the Table* (34). (48:11)

Community Library Network
AMENDED Board of Trustees Regular Meeting Minutes
Thursday, February 15, 2024
Hayden Library

2:00pm – 5:45pm

We Empower Discovery

Agenda

Call to Order Meeting was called to order at 2:00 pm

Roll Call Trustees: Katie Blank, Tom Hanley, Rachelle Ottosen, Tim Plass,
Vanessa Robinson (left at 5:50 pm)
Treasurer: Julie Saad (arrived at 3:25 pm)
Staff: Alexa Eccles, Lindsey Miller-Escarfuller, Michelle Fansler
General Counsel: Colton Boyles

Pledge of Allegiance

Public Comment *(30 minutes)*

Speakers must state name and community and speak for no more than 3 minutes. Persons addressing the Board are expected to observe a level of civility and decorum appropriate for a public meeting. No personal attacks or disruptions from audience members will be tolerated.

- Pat Raffe, Post Falls – expressed concern that the board majority might not be aware of how they hinder the attorney's effectiveness. She suggested holding only one meeting in March to allow staff time to address facility issues and urged the board to make positive changes.
- Theresa Birkett, Post Falls – recommended postponing changes to the Material Selection policy until the state legislature decides on S1289. She expressed concern about rising attorney fees and noted that only 20% of registered voters supported the current board majority. She urged the board to listen to Director Eccles, represent all Kootenai residents, and consider holding only one meeting next month.
- Dave Reilly, Post Falls – said he observed online posts regarding water damage in Post Falls and claimed to have retrieved undamaged videos from the dumpster, which he passed to the board, alleging fraud. He highlighted a video case of "Game of Thrones," citing its explicit content as evidence of pornographic materials in the library's collection, suggesting a cover-up.
- Pastor Matt Erickson, Post Falls – stated that mistrust of library staff and a lack of receptiveness to advice are hindering progress. As a regular library user who appreciates the staff's dedication to serving his family, he emphasized the importance of treating all staff members with trust and respect.

Robinson moved to go into Executive Session after public comment.

M, C – Robinson; Plass opposed

Board went into Executive Session at 2:14 pm. *(15 minutes)*

Executive Session | Idaho Code 74-206 (b): To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or

individual agent, or public-school student. Complaints against a public officer and/or individual agent.

Blank moved to go into executive session per Idaho Code 74-206(b) at 2:14 pm

Blank – Aye

Hanley – Aye

Ottosen – Aye

Plass – Nay

Robinson – Aye

Miller-Escarfuller and Fansler left the meeting at 2:15 pm

Blank moved to come out of executive session at 2:58 pm

Blank – Aye

Hanley – Aye

Ottosen – Aye

Plass – Nay

Robinson – Aye

Consent Agenda: Action Item *(5 minutes)*

Minutes of the Regular meeting of January 18, 2023

CIN November 2023 minutes

CIN January 2024 financial statements

M, C – Robinson

Community Library Network January 2024 financial statements: Action item *(5 minutes)*

- Robinson proposed splitting line 70 into 70a for legal expenses and 70b for professional expenses to improve tracking and potentially adjust future budget allocations for legal counsel. The discussion revolved around the timing of implementing this change, with Eccles expressing no objections and suggesting it could be implemented as early as March.

M, C – Robinson

- Ottosen motioned to accept the January 2024 financial statements. Blank inquired if staff had any highlights to share. Eccles noted new revenue line items related to Idaho statutes regarding revenue and taxation. Plass and Hanley questioned if material purchasing had slowed due to temporary library closures. Miller-Escarfuller responded that materials are being redistributed to open libraries while also slowing down purchases. Eccles elaborated on managing hold cues with top sellers, purchasing large print when available and prioritizing community service. Blank pointed out that five other libraries remain operational.

M, C – Ottosen

- Ottosen proposed that legal reports only be added on the agenda when the board majority consent to it or it is both urgent and important. Blank asked if this was discussed with the Director. Robinson asked if this could be brought up later. Eccles is not sure what the implication is of who has invited legal counsel to meetings. Ottosen chose to stop discussion and move on.

Discussion of Community Library Network January 2024 carryforward balance analysis *(5 minutes)*

- Eccles stated due to the new state funds we are now over \$237k. Without the new state funds, we would have been \$85k short. The second semi-annual state funds anticipated are \$322k.

Circulation Statistics: January 2024 *(5 minutes)*

- Robinson pointed out people are taking advantage of the kid's cards.

Director's Report (15 minutes)

- State Replacement Funds - The board received a handout from the Kootenai County clerk outlining the State Replacement Funds received. They also received an email from a tax accountant in the auditor's office regarding HB292, detailing funds received from training. While it was anticipated that some funds would be received, the exact scope was unknown during the budgeting process. Plass emphasized that these funds are not new money from taxpayers. Eccles clarified that CLN did not have prior knowledge of the exact amount and did not dispute Plass' statement.
- Report on Moving books - Eccles presented a report requested by a trustee regarding the movement of books in the minors' and adult collections. The report highlighted that the Community Library Network has never housed obscene materials and adheres to legal standards regarding obscenity and harmful content to minors. Eccles provided details on books relocated due to reconsideration requests and shared statistics on the number of items in each collection and the types of library cards issued. Blank sought clarification on the different card types, which Miller-Escarfuller explained, distinguishing between minor, minor limited, and teen limited cards based on age restrictions and access to library materials. Robinson clarified that parents could obtain a teen limited card for their 17-year-old child.
- Update on Post Falls and Athol Libraries – Eccles stated Post Falls and Athol are in an emergency state potentially posing harm to the facilities or individuals. The insurance provider, ICRMP, is reviewing the claim with legal counsel, and Eccles expects a response by tomorrow or early next week. She outlined potential costs for content removal, depending on the insurance claim coverage. Immediate water removal using commercial equipment has already been initiated, but the full extent of damage, including potential mold remediation, remains uncertain until walls are inspected. Eccles emphasized that if the board needs to allocate CLN funds for repairs, they should be involved in decision-making processes.

Review and approval of temporary lease: Action item (20 minutes)

- Eccles expressed gratitude for a community offer of discounted storage and office space, valued at approximately \$75,000, including utilities and snow removal, for six months with flexible month-to-month renting. The library staff researched other options but found most required a three-year lease. If approved by ICRMP, it will not need board action; otherwise, it will be categorized under other expenses. Benefits include accommodating displaced workers and providing climate-controlled storage for materials. Boyles conducted a market analysis, revealing this option is significantly cheaper than other commercial properties. Concerns were raised about space sufficiency and maintaining public service during construction. Options for material protection during construction were discussed, with cost being a factor. Blank moved to conditionally approve the lease, sparking further discussion. Some trustees cautioned against micromanaging staff. Not all trustees agreed to the lease option. Eccles clarified that the decision falls within her authority as director due to its cost and emergency circumstances, even if the board votes against it. She will provide further details in a future meeting.

M, Failed – Blank; Hanley, Plass opposed, Ottosen did not vote

Break (15 minutes)

Discussion of motion requiring collection reports. Legal opinion if it makes CLN more vulnerable; Action item (10 minutes)

- Boyles outlined that the report would not include patron information, estimating it would take staff around two hours to compile and export monthly data. He expressed concern that creating a

chronological report could potentially expose the library to legal liability regarding purchasing decisions and viewpoint discrimination. He also mentioned having these records could also help defend against such claims and demonstrate compliance with purchasing policies. Plass supported the idea, seeing value in maintaining a record of library purchases for both public transparency and board oversight. No decision was made.

Discussion on receiving legal advice regarding public policies. Review of when and how legal can provide advice including in writing, in a public meeting, or in an executive session: Action Item *(15 minutes)*

- Plass proposed keeping legal advice confidential from the public, while Blank highlighted the requirement of the open meeting law and mentioned written material is available through public records requests for transparency. Boyles mentioned statute 3205 exempting certain communications but noted limits to confidentiality for government agencies. He emphasized the board's authority over his meeting participation and communication methods. Eccles suggested staff draft policies, present them to the board for edits, and then send them to legal counsel for review. No consensus or decision was reached on the matter.

Discussion of Materials Selection and Acquisitions Policy, Withdrawal and Reconsideration Policy: Action item *(20 minutes)*

- The trustees discussed issues regarding policy prioritization, edits management of the policies, and screen usage during board meetings. Eccles proposed realistic timelines for policy reviews and asked for board meetings to only be once a month, while Robinson raised a point of order about displaying drafts on a screen. Ottosen tried to make progress by reading a paragraph she wanted added, and discussions ensued about the role of staff in policy creation. Eventually, consensus was reached for Plass to edit policies during the meetings and to send electronic files to staff. Staff will provide written drafts of edited policies being worked on in every board packet.

Discussion on Insurance Options: Action item *(40 minutes)*

- Blank, Robinson, and Eccles noted Redman's recommendation for CLN to remain with ICRMP until October, referring to insurance policy renewal option 1. Eccles discussed the additional expenses associated with options 2 and 3. Plass moved to engage Redman Insurance for option 3's full coverage and cancel existing ICRMP and Great American policies. Ottosen made a substitute motion for option 3, contingent on no other insurance quotes before February 23rd, accepting Wright/American Family quotes, binding the insurance on February 23rd, and promptly canceling ICRMP and Great American policies upon completion. Blank objected to Ottosen's motion within a motion, while Boyles suggested calling it a friendly amendment. Plass withdrew his motion, allowing Ottosen to proceed with her motion. Eccles questioned the board's criteria for option 3 and criticized the decision as reckless, urging a more conservative approach in line with the Financial Policy. Blank moved to postpone /table Ottosen's motion. Not brought to a vote. Plass expressed frustration with ICRMP for lowering insurance coverage while maintaining premiums. Eccles urged the board to act conservatively. Plass moved for a 10-minute extension of the meeting and called the question. Ottosen brought it to a vote.

M, C – Plass – 10-minute extension

Blank – nay

Hanley – aye

Ottosen – aye

Plass – aye

Robinson - nay

M, C – Plass – end discussion and vote on the motion

Blank - nay
Hanley – aye
Ottosen – aye
Plass – aye
Robinson – aye

M, C – Ottosen – option 3 – bind Wright/American Family quotes on Feb 23, cancel ICRMP & Great American
Blank - nay
Hanley – aye
Ottosen – aye
Plass – aye
Robinson – nay

Blank moved to adjourn 5:51 pm

M, Failed – Blank; Hanley, Plass opposed. Robinson absent.

Discussion of Public Comment Policy, public etiquette, and signs: Action Item (10 minutes)

- Chair agreed with Eccles to postpone because Robinson left the meeting at 5:50 pm and was the one that proposed this topic.

Discussion of future agenda requests (The board will decide via consensus whether these items will be moved to a future agenda) (5 minutes)

- Hanley wants to add facility considerations. Eccles explained the board’s action to change insurance company can affect ICRMP’s pay out.

Set Special and regular meeting dates: Action item (5 minutes)

Adjournment: Action item

Blank moved to adjourn at 5:58 pm.

M, C – Blank

Respectfully submitted,
Alexa Eccles, Michelle Fansler

Calendar of events:

21 Mar 2024	Regular Meeting	2:00 – 5:30	Hayden
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Please let us know if you need auxiliary aids or services to enjoy our libraries. This includes providing a sign language interpreter, assistive listening devices, or print materials in a digital format. We can also modify programs, services, or activities, within reasonable limits. Please request these services through Randy Zepeda, ADA Coordinator, preferably 15 days in advance, but no later than 72 hours before the event. Phone: 208-773-1506 ext. 329 Email: ADAcoordinator@communitylibrary.net

The Community Library Network does not discriminate on the basis of disability in its programs, services, activities, or employment practices. The Library Network has a policy on ADA compliance and the complete policy is available for review upon request. In addition, a grievance procedure is available to resolve complaints. If you need this notice in large print or Braille, let us know.