

**Community Library Network**  
WE EMPOWER DISCOVERY



## **Board Packet**

6.6.24 Board Meeting

**Community Library Network**  
**SPECIAL Board of Trustees Meeting**  
**THURSDAY, June 6, 2024**  
**Post Falls Library - Meeting Room 2**

**3:00-8:00PM**

**We Empower Discovery**

**Agenda**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Discussion of Materials Selection and Acquisition Policy (Action Item) 90 minutes
5. Discussion of Materials Withdrawal & Reconsideration (Action Item) 90 minutes
6. Break (15 minutes)
7. EXECUTIVE SESSION: PURSUANT TO IDAHO CODE § 74-206, (1)(a)(b)(d) CONVENE IN EXECUTIVE SESSION TO: (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need 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 (d) Consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code. (35 minutes)
8. Succession Planning: Action item (5 minutes)
9. Set Special and regular meeting dates: Action item (5 minutes)
10. Adjournment: Action item

**Calendar of Events:**

Regular & Annual Meeting: June 17, 2024, 2:00-5:30pm, Harrison Library

Special Meeting: Policies and ICfL Training with Clay Ritter, June 24, 2024, 2:00 - 6:00pm, Post Falls Library

Special Meeting: Budget work session, June 27, 2024, 2:00-4:00pm, 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.

# Community Library Network

WE EMPOWER DISCOVERY



## MATERIALS SELECTION AND ACQUISITION POLICY

DRAFT  
05/30/24

### 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.

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 sexual conduct, as defined in this policy, will be included in the CLN non-adult collection. Age-appropriate materials concerning biology, human anatomy, or religion are exempt from this directive.

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 "Materials Inappropriate for 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 "Materials Inappropriate for 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 juvenile, teen, and young adult-collections, "appropriateness" means a determination of whether such content is, in the opinion of the Board or Library staff, "Materials Inappropriate for 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.

### **Reports**

A monthly Excel report of all new items added to the library collection, whether purchased or donated, shall be provided to all library trustees. The monthly report shall be for the month preceding each regular

monthly board meeting. The Excel format shall be included in the board agenda packet posted on the CLN website.

**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 5-30-24**

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

### **Materials Harmful to Minors**

- Materials that violate Idaho Codes 18-1513, 18-1514, and 18-1515 shall be removed from the juvenile, teen, and young adult collections.

### **Disposition of Materials**

Material which has been selected for removal or relocation from the collection during any review 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 harmful to minors, but produced for adults, move to adult collection area

- If material is harmful to 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**

A "Request for Reconsideration of Material" form (RRMF) may be filled out and submitted by anyone who finds an item does not meet the guidelines set forth in this or any CLN policy. This includes items that may be found classified incorrectly and/or located incorrectly, as well as items that may need to be removed from the CLN collection. The RRMF may be filled out for non-CLN items that are shared and received from the Cooperative Information Network (CIN) consortium for the purposes of reclassification in the CLN system, but not for removal from CIN because those CIN items are not CLN assets.

A completed RRMF is submitted to CLN per the instructions on the form. The CLN staff, at the direction of the CLN Library Director, shall review the completed RRMF, fully review the subject item and recommend a disposition for the reconsideration request within ten business days of receiving the completed form. The item shall be removed from the collection upon receipt of the RRMF and remain so until the RRMF is resolved. If the recommendation is for no change in the item classification, location or remaining in the CLN collection, the case will be submitted to the CLN Board of Trustees for their review and decision at the next CLN Board meeting occurring within 30 days.

Decisions to remove or relocate material from the CLN collection will be based on guidelines delineated in this policy. When considering cases which may involve material harmful to minors, the "Miller test", (when taken as a whole), from US Supreme Court case Miller vs Calif. (1973), will be used to determine if an item should be removed from the CLN collection. When considering if an item should be relocated, the "Miller" test or the more recent US Supreme Court "PICO" (1982) case test shall be used. The "PICO" ruling identifies a book that is "pervasively vulgar", e.g., a skunk in the crawl space pervades the whole house, or even if "the vulgarity is concentrated in a single poem, a single chapter or a single page, yet still be inappropriate."

The CLN decision on the disposition of the submitted RRMF, whether made by staff to relocate or remove the item or by the board review, shall be implemented by CLN staff and the RRMF submitter notified of the decision within 5 business days of the CLN decision. If the RRMF submitter is not satisfied with the decision or believes the review overlooked important aspects, they may submit an appeal to the board of trustees in writing, within ten business days of receipt of the original RRMF decision, explaining what they believe was overlooked in the review. The board will consider the appeal at the next board meeting and make a final decision on the matter. The RRMF submitter shall be notified of the final decision within 5 business days of the board's final decision. An item will be evaluated for reconsideration only once in a 12 month 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.





## Request for Reconsideration of Material

Revised 5/5/2024

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Publisher: \_\_\_\_\_ Copyright Date: \_\_\_\_\_

Have you read the Community Library Network's Material Selection and Material Withdrawal policies? Yes\_\_\_\_ No\_\_\_\_

Is this request for review of material you consider "harmful to minors"? Yes \_\_\_\_ No \_\_\_\_

Note: Harmful to Minors is defined in Idaho Code section 18-1514:

*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.*
6. *"Harmful to minors" includes in its meaning 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:*
  - (a) *Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and*
  - (b) *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*  
7. "Material" means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.

What objections do you have to the material? Please cite page numbers, chapters or sections.

What are your reasons for finding the material offensive? Indicate whether or not you feel the material is objectionable for all readers/listeners/viewers or a particular age group. Please indicate your objections as completely and specifically as possible.

How could your concerns about the resource be resolved?

Withdrawal of Material from CLN collection \_\_\_\_\_ Relocation of material \_\_\_\_\_

Reclassification of material (if non-CLN) \_\_\_\_\_ Other (describe) \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Email address: \_\_\_\_\_

*The completed form will be given to the Library Director who will review the form for evaluation and recommendations. If additional action is warranted, the Request for Reconsideration of Material form will be submitted to the Board of Trustees for action. The patron will be notified of outcome.*

Form received by (staff member): \_\_\_\_\_ Date: \_\_\_\_\_