



## **MATERIALS SELECTION AND ACQUISITION POLICY**

Board approved: 06/17/2024

### **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. To the maximum extent allowed by the obscenity-light test, no graphic visual or written depictions of sexual conduct, as defined in this policy, will be included in the CLN non-adult collection. For example, 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 acquisitions of materials, 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 may be 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.

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 juvenile, teen, and young-adult collections.

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 cataloged material added to the CLN 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 electronic Excel file 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, June 17, 2024.