



THE
CITY of PELLA

STAFF MEMO TO COUNCIL

ITEM NO: I-1
 SUBJECT: Review of Pella Public Library Organizational Structure and Collection Development Policy
 DATE: January 4, 2022

BACKGROUND:

The purpose of this Policy and Planning session is to discuss the Pella Public Library's organizational structure and their collection development policy. As background, the library has received several concerns related to its purchase of the book *Gender Queer: A Memoir* by Maia Kobabe. The Library Board of Trustees reviewed these concerns during their meeting on December 14, 2021 and found the book was purchased in accordance with the library's policies. In addition, the City Council received concerns during the Council meeting on December 21, 2021. After receiving these concerns, staff was instructed to place this item on a future Policy and Planning agenda for discussion. Listed below is information Council may find helpful in determining a course of action on this matter.

Pella Public Library

The Pella Public Library is intended to serve as a resource for the community by providing books and other materials to support informational, educational, and recreational reading and learning. The library has roughly 9,700 cardholders and a collection of approximately 81,000 items. On an annual basis, the library adds around 3,000 physical items to its collection. In fiscal year 2020-21, more than 253,000 items were borrowed from the library.

Library Board of Trustees

Under Chapter 22 of the City Code, the Library Board of Trustees is responsible for all affairs of the Pella Public Library including facility management, authority to hire the Library Director, and responsibility for purchasing all collection materials. In addition to the powers outlined in the City Code, the Library Board of Trustees plans for the future of the library, monitors and evaluates the effectiveness of the library, and sets library policies.

The Board consists of six resident members and one non-resident member, all of which serve three-year terms. Resident members are appointed by the Mayor with approval of the City Council. The non-resident member is appointed by the Mayor with approval of the County Board of Supervisors. Board members may be removed from office according to the procedures outlined under Iowa Code Section 372.15. Generally, the process for removing a Library Board of Trustee from office closely resembles the same process the City utilizes for appointing members to the Library Board of Trustees. However, in order to ensure compliance with the Iowa Code, the City Council should seek legal counsel advice before proceeding with removing any City board member.

It is also important to note that Iowa Code Section 392.5 requires that any proposal to alter the composition, charge of a library board, or replace it with an alternate form of administrative agency, is subject to the approval of the voters of the city.

Library Finances

Besides appointing the Library Board of Trustees, the City Council's primary role in the Pella Public Library is approving financial allocations for the Library on an annual basis. Listed below is a financial summary of the Library:

Revenues	FY 19-20	FY 20-21
Federal and State Grants	\$ 9,114	\$ 12,066
Marion County Contributions	53,500	53,544
Fines, Charges, Other	<u>15,933</u>	<u>12,229</u>
Revenue Total	<u>\$ 78,547</u>	<u>\$ 77,839</u>
Expenditures	FY 19-20	FY 20-21
Personnel	\$ 477,639	\$ 539,427
Operations	182,878	158,669
Capital Improvements	<u>56,622</u>	<u>4,978</u>
Expenditure Total	<u>\$ 717,139</u>	<u>\$ 703,074</u>
Net General Fund Support Required	<u>\$ (638,592)</u>	<u>\$ (625,235)</u>

Collection Development Policy

The Library's Collection Development Policy is intended to support its mission of enabling users of all ages to experience the joy of reading, learn throughout their lives, find useful information, and better understand their personal and community heritage. One of the key points of the policy is the statement, "The Library upholds the right of the individual to access information, even though the content may be controversial or unacceptable to others." In addition, the policy states, "The reading and viewing activity of children is ultimately the responsibility of parents." Furthermore, the Library does not monitor or restrict checkouts made by minors. Finally, it is important to note the American Library Association's Library Bill of Rights serves as an appendage to the policy.

Through this policy, the Library Board of Trustees also delegates the selection and acquisition of library materials to the Library Director. According to the policy, the overriding principle in the selection of library materials is made on the basis of their value of interest, information, and enlightenment of all people of the community. The policy goes on to state, "No material shall be excluded because of the political, social, or religious views expressed." Furthermore, the policy also establishes factors to be used in selection of materials to be added to the collection. Listed below are a few of the main factors used in selecting library materials:

- The content fits with the mission and strategic plan of the Library.
- The overall value of material as an individual work and its value to the collection as a whole.
- Local history and materials of specific interest to the Pella community will be given special consideration.
- Whenever possible, objective reviews in reliable sources will be consulted before purchasing materials.
- An attempt will be made to maintain an appropriate balance between books of temporary, current popularity and those which are timeless and of classic value.

Collection Development Policy (continued)

The policy also outlines the process for voicing concerns over materials in the library. This process, identified as an “Expression of Concern”, involves meeting with the Library Director. Ultimately, if the concern is not addressed through meeting with the Library Director, the patron can appeal for a hearing with the Library Board of Trustees. Through this process, the Library Board of Trustees serves as the final authority in determining whether an item is appropriate to be included in the library collection.

For Council’s review, staff has enclosed a copy of the Library’s Collection Development Policy.

Expressions of Concern

As stated previously, the Library received approximately 20 “Expressions of Concern” related to the book *Gender Queer: A Memoir* by Maia Kobabe. In addition, two patrons requested a hearing with the Library Board of Trustees regarding this book. Most of the concerns centered on the book’s images and a number of these concerns alleged the images were obscene. In addition, there were concerns regarding the subject matter and the ability of minors to access this book. According to the Library staff, this book was purchased because it was in high demand at local libraries, which makes it difficult to borrow the book. In addition, the staff of the Library stated the book has been well reviewed, and they believed it met the standards for both artistic and literary merit. Library staff also stated the book was shelved appropriately in the adult collections since it contains mature content. After reviewing the concerns and the Library staff’s response, the Library Board of Trustees voted unanimously at their December 14, 2021 meeting to maintain this book in the library collection. A copy of the Library Board of Directors’ written opinion is included in the Council packet along with all of the “Expressions of Concern” received and the Library Director’s response to the concerns.

Council Direction

Staff is seeking Council direction on this item. Listed below are potential options for Council to consider:

Option #1: In light of the number of concerns received, request the Library Board of Trustees to review its policies and report back to Council at the conclusion of its review. Furthermore, if Council chooses this option, legal counsel should be consulted before any policy adjustments are finalized. Listed below are potential topics which the review could cover:

- A. The criteria used for determining which books and material the Library purchases versus those which should be accessed via inter-library loans.
- B. The policy of not restricting access or checkouts made by minors of adult material or mature content.
- C. Any other policy the Council would like the Library Board of Trustees to review.

Option #2: If Council feels the Library Board of Trustees did not consider all of the applicable facts in their review of the book *Gender Queer: A Memoir* by Maia Kobabe. The Council could request the Library Board of Trustees to once again review this book for appropriateness in the Library’s collection.

Option #3: No suggested changes by the Pella City Council.

Option #4: Any other option Council wishes to consider in this matter.

Please note, the above options are not intended to be exhaustive or all inclusive. Rather, they are simply meant to facilitate discussion on this topic. In addition, please keep in mind the City Code assigns responsibility for the Pella Public Library to the Library Board of Trustees. Therefore, any potential option the Council would like to address in the near term would most likely need to be on a policy level. Finally, the President of the Library Board of Trustees and the Library Director will be in attendance during this work session to address any questions the Council may have on this issue.

Once again, staff is seeking Council direction on this item.

ATTACHMENTS:	Chapter 22 of the Pella City Code, Collection Development Policy, Expressions of Concern, Library Board of Trustees Written Response to the Expressions of Concern, Library Board of Trustees Minutes, Statement by the President of the Library Board of Trustees, Additional Information from Library Director
REPORT PREPARED BY:	City Administration
REVIEWED BY:	City Administrator, City Clerk
RECOMMENDATION:	Seeking Council direction

CHAPTER 22

LIBRARY BOARD OF TRUSTEES

22.01 Public Library	22.07 Nonresident Use
22.02 Library Trustees	22.08 Expenditures
22.03 Qualifications of Trustees	22.09 Annual Report
22.04 Organization of the Board	22.10 Injury to Books or Property
22.05 Powers and Duties	22.11 Theft
22.06 Contracting with Other Libraries	

22.01 PUBLIC LIBRARY.

The public library for the City is known as the Pella Public Library. It is referred to in this chapter as the Library.

22.02 LIBRARY TRUSTEES.

The Board of Trustees of the Library, hereinafter referred to as the Board, consists of six (6) resident members and one nonresident member. All resident members are to be appointed by the Mayor with the approval of the Council. The nonresident member is to be appointed by the Mayor with the approval of the County Board of Supervisors.

22.03 QUALIFICATIONS OF TRUSTEES.

All members of the Board shall be bona fide citizens and residents of the City except one member who may reside in the Pella Community School District within rural Marion County. All members shall be over the age of eighteen (18) years.

22.04 ORGANIZATION OF THE BOARD.

The organization of the Board shall be as follows:

1. Term of Office. All appointments to the Board shall be for three (3) years, except to fill vacancies. Each term shall commence on July 1. Appointments shall be made every year of one-third (1/3) the total number or as near as possible, to stagger the terms.
2. Vacancies. The position of any resident Trustee shall be vacated if such member moves permanently from the City. The position of a nonresident Trustee shall be vacated if such member moves permanently from the County or into the City. The position of any Trustee shall be deemed vacated if such member is absent from six (6) consecutive regular meetings of the Board, except in the case of sickness or temporary absence from the City or County. Vacancies in the Board shall be filled in the same manner as an original appointment except that the new Trustee shall fill out the unexpired term for which the appointment is made.
3. Compensation. Trustees shall receive no compensation for their services.

22.05 POWERS AND DUTIES.

The Board shall have and exercise the following powers and duties:

1. Officers. To meet and elect from its members a President, a Secretary, and such other officers as it deems necessary.

2. Physical Plant. To have charge, control and supervision of the Library, its appurtenances, fixtures and rooms containing the same.
3. Charge of Affairs. To direct and control all affairs of the Library.
4. Hiring of Personnel. To employ a librarian, and authorize the librarian to employ such assistants and employees as may be necessary for the proper management of the Library, and fix their compensation; provided, however, that prior to such employment, the compensation of the librarian, assistants and employees shall have been fixed and approved by a majority of the members of the Board voting in favor thereof.
5. Removal of Personnel. To remove the librarian, by a two-thirds vote of the Board, and provide procedures for the removal of the assistants or employees for misdemeanor, incompetence or inattention to duty, subject however, to the provisions of Chapter 35C of the Code of Iowa.
6. Purchases. To select, or authorize the librarian to select, and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, other Library materials, furniture, fixtures, stationery and supplies for the Library within budgetary limits set by the Board.
7. Use by Nonresidents. To authorize the use of the Library by nonresidents and to fix charges therefor unless a contract for free service exists.
8. Rules and Regulations. To make and adopt, amend, modify or repeal rules and regulations, not inconsistent with this Code of Ordinances and the law, for the care, use, government and management of the Library and the business of the Board, fixing and enforcing penalties for violations.
9. Expenditures. To have exclusive control of the expenditure of all funds allocated for Library purposes by the Council, and of all moneys available by gift or otherwise for the erection of Library buildings, and of all other moneys belonging to the Library including fines and rentals collected under the rules of the Board.
10. Gifts. To accept gifts of real property, personal property, or mixed property, and devises and bequests, including trust funds; to take the title to said property in the name of the Library; to execute deeds and bills of sale for the conveyance of said property; and to expend the funds received by them from such gifts, for the improvement of the Library.
11. Enforce the Performance of Conditions on Gifts. To enforce the performance of conditions on gifts, donations, devises and bequests accepted by the City on behalf of the Library.

(Code of Iowa, Ch. 661)

12. Record of Proceedings. To keep a record of its proceedings.
13. County Historical Association. To have authority to make agreements with the local County historical association where such exists, and to set apart the necessary room and to care for such articles as may come into the possession of the association. The Trustees are further authorized to purchase necessary receptacles and materials for the preservation and protection of such articles as are in their judgment of a historical and educational nature and pay for the same out of funds allocated for Library purposes.

22.06 CONTRACTING WITH OTHER LIBRARIES.

The Board has power to contract with other libraries in accordance with the following:

1. Contracting. The Board may contract with any other boards of trustees of free public libraries, with any other city, school corporation, private or semiprivate organization, institution of higher learning, township, or County, or with the trustees of any County library district for the use of the Library by their respective residents.

(Code of Iowa, Sec. 392.5 & Ch. 28E)

2. Termination. Such a contract may be terminated at any time by mutual consent of the contracting parties. It also may be terminated by a majority vote of the electors represented by either of the contracting parties. Such a termination proposition shall be submitted to the electors by the governing body of a contracting party on a

written petition of not less than five percent (5%) in number of the electors who voted for governor in the territory of the contracting party at the last general election. The petition must be presented to the governing body not less than forty (40) days before the election. The proposition may be submitted at any election provided by law that is held in the territory of the party seeking to terminate the contract.

22.07 NONRESIDENT USE.

The Board may authorize the use of the Library by persons not residents of the City or County in any one or more of the following ways:

1. Lending. By lending the books or other materials of the Library to nonresidents on the same terms and conditions as to residents of the City, or County, or upon payment of a special nonresident Library fee.
2. Depository. By establishing depositories of Library books or other materials to be loaned to nonresidents.
3. Bookmobiles. By establishing bookmobiles or a traveling library so that books or other Library materials may be loaned to nonresidents.
4. Branch Library. By establishing branch libraries for lending books or other Library materials to nonresidents.

22.08 EXPENDITURES.

All money appropriated by the Council for the operation and maintenance of the Library shall be set aside in an account for the Library. Expenditures shall be paid for only on orders of the Board, signed by its President and Librarian.

(Code of Iowa, Sec. 384.20 & 392.5)

22.09 ANNUAL REPORT.

The Board shall make a report to the Council immediately after the close of the fiscal year. This report shall contain statements as to the condition of the Library, the number of books added, the number circulated, the amount of fines collected, and the amount of money expended in the maintenance of the Library during the year, together with such further information as may be required by the Council.

22.10 INJURY TO BOOKS OR PROPERTY.

It is unlawful for a person willfully, maliciously or wantonly to tear, deface, mutilate, injure or destroy, in whole or in part, any newspaper, periodical, book, map, pamphlet, chart, picture or other property belonging to the Library or reading room.

(Code of Iowa, Sec. 716.1)

22.11 THEFT.

No person shall take possession or control of property of the Library with the intent to deprive the Library thereof.

(Code of Iowa, Sec. 714.1)

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6.1 Collection Development Policy

Pella Public Library

Adopted 5/9/00; reviewed 2/14/17; revised 2/12/19; Last revised 2/9/21

The Pella Public Library collects materials in a variety of formats to support the library's mission to enable users of all ages to experience the joy of reading, learn throughout their lives, find and use information, and better understand their personal and community heritage.

Patron use is the most powerful influence on the Library's collection. Circulation, patron purchase requests and holds levels are all closely monitored. In addition to patron demand, selections are made to provide depth and diversity of viewpoints to the collection. The library provides materials to support each individual and does not place a value on one patron's needs or preferences over another's. The Library upholds the right of the individual to access information, even though the content may be controversial or unacceptable to others.

Materials for children and teenagers are intended to support recreational reading, encourage, and facilitate reading skills, supplement their educational needs, and stimulate and widen their interests. The reading and viewing activity of children is ultimately the responsibility of parents, who guide and oversee their own children's development. The Library does not intrude on that relationship.

The Board of this Library, recognizing the pluralistic nature of this community and the varied backgrounds and needs of all citizens, declares as a matter of collection development policy that:

- The Pella Public Library adheres to the American Library Association's Library Bill of Rights, which is appended to this policy. Inclusion of material in the collection does not imply the library's endorsement of it or its contents.
- The Library recognizes that any given item may offend some patrons, but because the Library follows accepted principles of intellectual freedom, it will not remove specific titles solely because individuals or groups may find them objectionable.
- Selection of library materials shall be made on the basis of their value of interest, information, and enlightenment of all people of the community. No material shall be excluded because of the political, social or religious views expressed.
- This Library does not monitor or restrict checkouts made by minors.

ACQUISITION OF LIBRARY MATERIALS

The Board of Trustees delegates the selection and acquisition of library materials to the Library Director and, at the discretion of the director, staff who are qualified by education and/or experience. All staff members are encouraged to recommend materials needed in particular areas of the Library, and to make note of subjects requested by patrons but not held by the library.

Recommendations for the addition of materials from citizens of the community are encouraged. Serious suggestions will be considered carefully and an effort made to include worthwhile titles which are deemed appropriate. When, in the opinion of the Director, the material requested is of limited appeal, interlibrary loan will be suggested instead of purchasing the material.

The following factors will be determinants in the selection of materials to be added to the Library's collections:

- The content fits with the mission and strategic plan of the Library.
- The overall value of material as an individual work and its value to the collection as a whole.
- Local history and materials of specific interest to the Pella community will be given special consideration.
- Whenever possible, objective reviews in reliable sources will be consulted before purchasing materials.
- An attempt will be made to maintain an appropriate balance between books of temporary, current popularity and those which are timeless and of classic value.
- No attempt shall be made to acquire single titles or collections of rare books, manuscripts, or private papers.
- The type of binding will influence the acquisition of books only in so far as to govern the most appropriate binding for the anticipated use of the material. Type of binding or format will not be the determinant for the extent of the cataloging of the material.
- Non-book and digital materials will be acquired by the Library as needed to support the needs of the community. Such materials shall be subject to the same criteria of selection as apply to print materials.
- Duplicate copies of titles will be acquired in the number deemed appropriate by the library staff and the Library Director.
- The selection of children's and teen materials shall follow the same general guidelines as those for adult materials.

The selection of sources for the purchase of library materials shall be left to the discretion of the Library Director or to the person(s) designated to be in charge of acquisitions. Vendors will be chosen who provide the best service with the greatest monetary advantage.

All regulations governing the purchase of materials and services shall be in compliance with policies adopted by the City of Pella.

COLLECTION MAINTENANCE

Weeding, mending and rebinding will be done under the direction of the Library Director. Only those materials which have classic value and worth will be considered for rebinding. Mending will be done for those materials whose life can be extended or whose aesthetic appearance may be improved.

The collection will be systematically assessed to make space for new materials, to make collections more attractive, to facilitate ease of use by patrons and staff, and to reduce the damage to materials caused by overcrowding, space limitations, and overuse. To meet state standards, all parts of the collection will be reviewed at least once every three years. Specific attention will be paid to:

- Materials no longer in demand
- Outdated or inaccurate information
- Any material which is badly worn, damaged, stained, or soiled
- Duplicate copies
- Space limitations

- Sustainability of format
- Strategic plan priorities

The Library Director retains the right to dispose of all duplicate or unneeded materials.

EXPRESSIONS OF CONCERN

The library's role is to provide opportunities that will allow individuals to freely examine subjects and make their own decisions. The Library does not endorse particular ideas, beliefs, or views. While individuals are free to reject for themselves materials of which they do not approve, they cannot exercise this right of censorship to restrict the freedom of others. The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons. Patron concerns will be dealt with promptly and courteously as detailed in the following process.

1. Library staff will listen to the concern and direct patrons to the appropriate selector (Youth Services Librarian for teen and children's materials, Library Director for all other library materials).
2. The Director or YS Librarian will discuss the concern with the individual or group.
3. After discussion, a patron who requests further action will complete a "Statement of Concern about Library Resources" form, which will be submitted to the Director.
4. The Director will respond in writing no more than ten days after receiving the form.
5. The Director will inform the Library Board of the concern and their response.
6. An individual or group still seeking further action may request a hearing before the Library Board of Trustees. Such a request will be directed to the Board President.
7. A hearing will be scheduled by the Library Board at its next regularly scheduled Board meeting.
8. The Board of Trustees will make a final ruling on the concern and send a written response to the individual or group.

References

This policy has been developed in concert with other Pella Public Library policies and with American Library Association Guidance Documents:

- Library Bill of Rights <http://www.ala.org/advocacy/intfreedom/librarybill>
- Interpretations of the Library Bill of Rights
<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations>
- Freedom to Read Statement
<http://www.ala.org/advocacy/intfreedom/statementspols/freedomreadstatement>
- Freedom to View Statement
<http://www.ala.org/advocacy/intfreedom/statementspols/freedomviewstatement>

LIBRARY BILL OF RIGHTS

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries.

1. As a responsibility of library service, books and other library materials selected should be chosen for values of interest, information and enlightenment of all the people of the community. In no case should library materials be excluded because of the race or nationality or the social, political, or religious views of the author.
2. Libraries should provide books and other materials presenting all points of view concerning the problems and issues of our times; no library materials should be proscribed or removed from libraries because of partisan or doctrinal disapproval.
3. Censorship should be challenged by libraries in the maintenance of their responsibility to provide public information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. The rights of an individual to the use of a library should not be denied or abridged because of his age, race, religion, national origins, or social or political views.
6. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussions of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members, provided that the meetings be open to the public.

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: _____

Name of individual or group: _____

Contact person for group: _____

Phone: _____ Email: _____

Address: _____

City: _____ Zip Code: _____

Resource you are concerned with:

☐ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Have you read, watched or listened to the entire work?

What is your concern about this resource? Please be specific.

What action do you seek as a result of this complaint?

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Signature of Patron

Date

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as Interpretations of the Library Bill of Rights (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations>).

Interpretations of the Library Bill of Rights

Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices.

Following are those documents designated by the Intellectual Freedom Committee as Interpretations of the *Library Bill of Rights* ([/advocacy/intfreedom/librarybill](#)) and background statements detailing the philosophy and history of each. For convenience and easy reference, the documents are presented in alphabetical order. These documents are policies of the American Library Association, having been adopted by the ALA Council ([/aboutala/governance/council](#)).

Access to Digital Resources and Services ([/advocacy/intfreedom/librarybill/interpretations/digital](#)):

Digital resources and services allow libraries to significantly expand the scope of information available to users. Like all resources and services provided by the library, provision of access to digital resources and services should follow the principles outlined in the *Library Bill of Rights* to ensure equitable access regardless of content or platform. Amended 2019

Access to Library Resources and Services for Minors

([/advocacy/intfreedom/librarybill/interpretations/minors](#)): Library policies and procedures that effectively deny minors equal and equitable access to all library resources available to other users violate the *Library Bill of Rights*. The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users. Amended 2019

Access to Library Resources and Services Regardless of Sex, Gender Identity, Gender Expression, or Sexual Orientation (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/accesslgbt>):

The American Library Association stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation. Amended 2020

Access to Resources and Services in the School Library

([/advocacy/intfreedom/librarybill/interpretations/accessresources](#)): The school library plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem-solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shapes the resources and services of a school library, the principles of the Library Bill of Rights apply equally to all libraries, including school libraries. Amended 2014

Challenged Resources ([/advocacy/intfreedom/librarybill/interpretations/challenged-resources](#)): ALA declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined written policy for collection development that includes a procedure for review of challenged resources. Amended 2019

Diverse Collections ([/advocacy/intfreedom/librarybill/interpretations/diversecollections](#)): Collection development should reflect the philosophy inherent in Article I of the *Library Bill of Rights*: "Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views

of those contributing to their creation.” A diverse collection should contain content by and about a wide array of people and cultures to authentically reflect a variety of ideas, information, stories, and experiences.

Amended 2019

Economic Barriers to Information Access

(/advocacy/intfreedom/librarybill/interpretations/economicbarriers): All resources provided directly or indirectly by the library, regardless of format or method of delivery, should be readily and equitably accessible to all library users. Imposing any financial barrier may disadvantage users, and libraries of all types—public, school, and academic—should consider eliminating barriers that limit access to library resources and other services. Amended 2019

Education and Information Literacy

(<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/education>): Libraries and library workers foster education and lifelong learning by promoting free expression and facilitating the exchange of ideas among users. Libraries use resources, programming, and services to strengthen access to information and thus build a foundation of intellectual freedom. In their roles as educators, library workers create an environment that nurtures intellectual freedom in all library resources and services. Amended 2019

Equity, Diversity, Inclusion (/advocacy/intfreedom/librarybill/interpretations/EDI): Libraries are essential to democracy and self-government, to personal development and social progress, and to every individual's inalienable right to life, liberty, and the pursuit of happiness. To that end, libraries and library workers should embrace equity, diversity, and inclusion in everything that they do. Adopted 2017

Evaluating Library Collections

(/advocacy/intfreedom/librarybill/interpretations/evaluatinglibrary): Libraries continually develop their collections by adding and removing resources to maintain collections of current interest and usefulness to their communities. Libraries should adopt collection development and maintenance policies that include criteria for evaluating materials. Amended 2019

Expurgation of Library Materials

(/advocacy/intfreedom/librarybill/interpretations/expurgationlibrary): Expurgating library materials is a violation of the Library Bill of Rights. Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part(s) of books or other library resources by the library, its agent, or its parent institution (if any). Amended 2014

Internet Filtering (/advocacy/intfreedom/librarybill/interpretations/internet-filtering): The negative effects of content filters on Internet access in public libraries and schools are demonstrable and documented. Consequently, consistent with previous resolutions, the American Library Association cannot recommend filtering. However the ALA recognizes that local libraries and schools are governed by local decision makers and local considerations and often must rely on federal or state funding for computers and internet access. Because adults and, to a lesser degree minors, have First Amendment rights, libraries and schools that choose to use content filters should implement policies and procedures that mitigate the negative effects of filtering to the greatest extent possible. The process should encourage and allow users to ask for filtered websites and content to be unblocked, with minimal delay and due respect for user privacy. Adopted 2015

Intellectual Freedom Principles for Academic Libraries

(/advocacy/intfreedom/librarybill/interpretations/intellectual): A strong intellectual freedom perspective is critical to the development of academic library collections and services that dispassionately meet the

education and research needs of a college or university community. The purpose of this statement is to outline how and where intellectual freedom principles fit into an academic library setting, thereby raising consciousness of the intellectual freedom context within which academic librarians work. Amended 2014

Labeling Systems (/advocacy/intfreedom/librarybill/interpretation/labeling-systems): Prejudicial labeling systems assume that the libraries have the institutional wisdom to determine what is appropriate or inappropriate for its users to access. They presuppose that individuals must be directed in making up their minds about the ideas they examine. The American Library Association opposes the use of prejudicial labeling systems and affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access. Adopted 2015

Library-Initiated Programs and Displays as a Resource

(/advocacy/intfreedom/librarybill/interpretations/programsdisplays): Library-initiated programs and displays utilize library worker expertise for community interests, collections, services, facilities, and providing access to information and information resources. They introduce users and potential users to library resources and the library's role as a facilitator of information access. Concerns, questions, or complaints about library-initiated programs and displays are handled according to the same written policy and procedures that govern reconsiderations of other library resources. These policies should apply equally to all people, including, but not limited to, library users, staff, and members of the governing body. Amended 2019

Meeting Rooms (/advocacy/intfreedom/librarybill/interpretations/meetingrooms): Many libraries provide meeting rooms and other spaces designated for use by the public for meetings and other events as a service to their communities. Article VI of the Library Bill of Rights states, "Libraries which make ... meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use." Amended 2019

Minors and Online Activity

(<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/minorsonlineactivity>): The online environment offers opportunities for accessing, creating, and sharing information. The rights of minors to retrieve, create, and interact with information posted on the Internet in schools and libraries are extensions of their First Amendment rights. Amended 2019

Politics in American Libraries (/advocacy/intfreedom/librarybill/interpretations/politics): The Library Bill of Rights specifically states that "all people" and "all points of view" should be included in library materials and information. There are no limiting qualifiers for viewpoint, origin, or politics. Adopted 2017

Prisoners' Right to Read (/advocacy/intfreedom/librarybill/interpretations/prisonersrightoread): ALA asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps, and segregated units within any facility, whether public or private. Amended 2019

Privacy (/advocacy/intfreedom/librarybill/interpretations/privacy): All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. The American Library Association affirms that rights of privacy are necessary for intellectual freedom and are fundamental to the ethical practice of librarianship. Amended 2019

Rating Systems (/advocacy/intfreedom/librarybill/interpretations/rating-systems): Rating systems are tools or labels devised by individuals or organizations to advise people regarding suitability or content of materials. Rating systems appearing in library catalogs or discovery systems present distinct challenges to

intellectual freedom principles. The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read or view. Amended 2019

Religion in American Libraries (/advocacy/intfreedom/librarybill/interpretations/religion): The First Amendment guarantees the right of individuals to believe and practice their religion or practice no religion at all and prohibits government from establishing or endorsing a religion or religions. Thus the freedom of, for and from religion, are similarly guaranteed. Adopted 2016

Restricted Access to Library Materials

(/advocacy/intfreedom/librarybill/interpretations/restrictedaccess): Libraries are a traditional forum for the open exchange of information. Attempts to restrict access to library materials violate the basic tenets of the Library Bill of Rights. Amended 2014

Services to People with Disabilities

(/advocacy/intfreedom/librarybill/interpretations/servicespeopledisabilities): Libraries should be fully inclusive of all members of their community and strive to break down barriers to access. The library can play a transformational role in helping facilitate more complete participation in society by providing fully accessible resources and services. Amended 2018

Universal Right to Free Expression (/advocacy/intfreedom/librarybill/interpretations/universalright):

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedoms of speech, press, religion, assembly, and association, and the corollary right to receive information. Amended 2014

User-Generated Content in Library Discovery Systems (/advocacy/user-generated-content-library-discovery-systems):

Libraries offer a variety of discovery systems to provide access to the resources in their collections. Such systems can include online public access catalogs (OPAC), library discovery products, institutional repositories, and archival systems. With the widespread use of library technology that incorporates social media components, intelligent objects, and knowledge-sharing tools comes the ability of libraries to provide greater opportunities for patron engagement in those discovery systems through user-generated content. These features may include the ability of users to contribute commentary such as reviews, simple point-and-click rating systems (e.g. one star to five stars), or to engage in extensive discussions or other social interactions. This kind of content could transform authoritative files, alter information architecture, and change the flow of information within the library discovery system. Amended 2019

User-Initiated Exhibits, Displays, and Bulletin Boards

(<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/exhibitsdisplaysbulletinboards>): Libraries may offer spaces for exhibits, displays, and bulletin boards in physical or digital formats as a benefit for their communities. The use of these spaces should conform to the American Library Association's *Library Bill of Rights*. Amended 2019

Visual and Performing Arts in Libraries

(<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/arts>): Visual images and performances in the library should not be restricted based on content. Librarians and library staff should be proactive in seeking out a wide variety of representational and abstract artwork and performance art, with limitations or parameters set only with respect to space, installation, fiscal, and technical constraints. Adopted 2018

[PDF of Library Bill of Rights with complete interpretations]

The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

American Library Association (/)

Association of American Publishers (<http://www.publishers.org/>)

Subsequently endorsed by:

American Booksellers for Free Expression (<http://www.bookweb.org/abfe>)

The Association of American University Presses (<http://www.aaupnet.org/>)

The Children's Book Council (<http://www.cbcbooks.org/>)

Freedom to Read Foundation (<http://www.ft rf.org>)

National Association of College Stores (<http://www.nacs.org/>)

National Coalition Against Censorship (<http://www.ncac.org/>)

National Council of Teachers of English (<http://www.ncte.org/>)

The Thomas Jefferson Center for the Protection of Free Expression

Freedom to View Statement

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

(/offices/oif)

12/3/21

Dear Community Member,

I am writing regarding the Expression of Concern you recently submitted regarding the book *Gender Queer: A Memoir* by Maia Kobabe, which was recently added to the Library's collection. The Library Board has authorized me to move directly to Step 4 of the Library's Expression of Concern outlined in the Collection Development policy due to constraints of staff time.

While concerns have been raised that this book depicts or references pedophilia, the author has stated that they wrote the book, in part, to counteract, "the lack of visibility of trans and nonbinary identities." The book does contain mature subject matter and is therefore shelved in our adult collections. This is consistent with the practice of the Library to shelve materials containing explicit content separate from those for youth and children. As professionals, we recognize the need to separate materials based upon content, including language and imagery. Library staff work to make sure that patrons know where they will be able to locate materials that meet their informational and recreational needs.

While the book under discussion does include explicit content, this does not violate Iowa law or Library policy. The explicit images are fleeting (four panels; (p. 61, p.135, p. 167), depict individuals in mature situations to further the overall story, and are not intended to titillate or arouse the reader. The book has been well reviewed, it has a clear narrative, and meets standards for both artistic and literary merit. The book was recently published and is in high demand at local libraries, which makes it difficult to borrow from other libraries.

Parents and guardians have a responsibility and a right to guide their children's use of Library materials by helping their child know where they will find materials that will fit their interest and maturity and set boundaries appropriate for their child. This responsibility is balanced along with the freedom to read and the Library's responsibility to provide a wide variety of materials in keeping with our policies and procedures. Not every item found in a public Library will be an appropriate selection for every person in the community, but there needs to be a wide selection to meet the needs of the community as a whole.

When selecting materials for the Library's collection, we take a wide variety of community needs, interests, experiences, access levels, and abilities into consideration and continuously evaluate the Library's resources to ensure that the collection offers something for everyone. As our Collection Development policy states, "selections are made to provide depth and diversity of viewpoints to the collection." The best way to demonstrate that a particular title is not a good fit for a community is for it not to circulate. Circulation tells us a lot about the interests and needs of the communities we serve. When we see an item being borrowed, we work to develop the collection on that subject matter. We respond to the borrowing habits of our community as a whole and rely on that information to guide our materials selection.

If you have further concerns regarding this title, you may request a hearing before the Library Board of Trustees at its next regularly scheduled meeting on Tuesday, 12/14 at 4 pm. Requests may be directed to me at the email below.

Sincerely,

Mara Strickler, MLS

Pella Public Library – Director
603 Main St.
Pella, IA 50219
641-628-4268 x204
Fax: 641-628-1735

mstrickler@cityofpella.com

<http://www.cityofpella.com>



STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/21

Name of individual or group: Elizabeth Bailey

Contact person for group:

Phone

Address

City:

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

not the entire book

What is your concern about this resource? Please be specific.

The images are pornographic and should not be on library shelves.

What action do you seek as a result of this complaint?

Remove the book from the library

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728

Elizabeth Bailey
 Signature of Patron

11/15/21
 Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/2021

Name of individual or group: Paul & Melody Bouwers

Contact person for group: Melody

Phone: 
 Address: 
 City: 

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer

Have you read, watched or listened to the entire work?

I've seen enough to know it's not what I want my grandchildren exposed to.

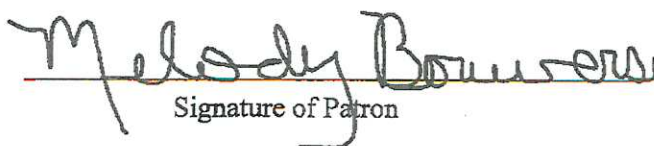
What is your concern about this resource? Please be specific.

It is pornography that needs to be removed from a library where young children are free to see it and read.

What action do you seek as a result of this complaint?

Have it removed from the library. Or in a locked area just like pornography

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?



 Signature of Patron

11/15/2021

 Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/18/21

Name of individual or group: Tara Braithwaite

Contact person for group: Kelli Kruid

Phone:

Address:

City:

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: a memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

No

What is your concern about this resource? Please be specific.

This book is pornography and falls under the "Obscene materials" definition in Iowa Code 728. It shouldn't be purchased with taxpayer money and it shouldn't be available to check out because you cannot insure an underage individual doesn't check it out.

What action do you seek as a result of this complaint?

The book to be removed from the library.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Tara Braithwaite

Signature of Patron

11/18/21

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/21

Name of individual or group: Rachel DeJure

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

No

What is your concern about this resource? Please be specific.

The graphic images of sexual acts including pedophilia

What action do you seek as a result of this complaint?

Either the book be removed or placed in a locked area to be accessible by an adult with the assistance of the library.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Towa Code 728

Rachel DeJure
 Signature of Patron

11-15-21
 Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 12/8/21

Name of individual or group: Jill De Vries

Contact person for group: 11

Phone: 

Address: 

City: 

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: a memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

I have read eight pages of this book and cannot in good conscious read anymore.

What is your concern about this resource? Please be specific.

There is an image on page 135 that depicts an older man having sexual relations with a boy. He references Plato's symposium which speaks of "heavenly love" (the best kind of love) between an older man and a younger boy. I call this pedophilia. Graphic, obscene images

What action do you seek as a result of this complaint? throughout the book.

I would like to see this book removed completely. If this cannot be done, then it should be safeguarded behind the desk so adults only have access to such graphic & mature material.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Irreversible Damage by Abigail Shrier is a wonderful resource on Transgender in girls.

Jill De Vries
Signature of Patron

12/8/21
Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11.16.21

Name of individual or group: Jonathan Dykstra

Contact person for group: _____

Phone: _____

Address _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir

Have you read, watched or listened to the entire work?

I would not be able to.

What is your concern about this resource? Please be specific.

Depiction of sexually explicit pictures/images

What action do you seek as a result of this complaint?

Remove book or place behind desk.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

yes attached

[Signature]

 Signature of Patron

11.16.21

 Date



HENRY McMASTER
GOVERNOR

November 10, 2021

The Honorable Molly Spearman
Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Superintendent Spearman:

It has come to my attention that public schools in South Carolina may be providing students with access—whether in school libraries, electronic databases, or both—to completely inappropriate books and materials, including sexually explicit and obscene images or depictions. After learning of this issue from understandably outraged parents and reviewing the examples provided of such obscene and pornographic depictions, I was shocked and disappointed. Although my staff previously contacted the Department of Education regarding this issue, I write to bring this matter to your immediate attention and to request both a comprehensive investigation and a detailed explanation of how these materials were allowed to be introduced in our State's schools.

By way of example, it is my understanding that concerned parents were recently required to petition the Fort Mill School District to remove a book from a school's physical or digital library, titled *Gender Queer: A Memoir*, by Maia Kobabe. If school personnel had performed even a cursory review in this particular instance, it would have revealed that the book contains sexually explicit and pornographic depictions, which easily meet or exceed the statutory definition of obscenity. Thus, I am concerned that further examination may identify additional instances in which inappropriate materials have been introduced into our State's public schools.

For sexually explicit materials of this nature to have ever been introduced or allowed in South Carolina's schools, it is obvious that there is or was either a lack of, or a breakdown in, any existing oversight processes or the absence of appropriate screening standards. Therefore, I respectfully request that the Department of Education promptly investigate this matter, on a statewide basis, and identify whether any systemic policy or procedural deficiencies exist at the state or local levels, or both. Upon completion of this investigation, pursuant to article IV, section 17 of the South Carolina Constitution and sections 1-1-840 and 1-3-10 of the South Carolina Code of Laws, please provide me with a detailed explanation of how such materials were allowed to be

The Honorable Molly Spearman
Page 2
November 10, 2021

introduced into our State's schools and what measures the Department of Education intends to take to address this matter.

In the interim, I call on the Department of Education or the State Board of Education, as appropriate, to promulgate statewide standards and directives to prevent pornography and other obscene content from entering our State's public schools and libraries and to identify any such materials that may already be available to children. Additionally, the Department of Education should develop—or, if existing, obviously improve upon—a transparent statewide process and procedure to review and approve the books and other materials that are available to students. In doing so, the Department of Education should also advise parents of this process and ensure that they, as well as the public at large, have a formal mechanism by which to notify the Department of Education and local school districts in the event they identify obscene or otherwise inappropriate material in schools or school libraries.

I trust you agree that pornography and obscenity have no place in our State's public schools, much less in their libraries. Aside from being deeply disturbing and manifestly inappropriate, it is likely illegal under South Carolina law. Accordingly, by copy of this letter, I am notifying the South Carolina Law Enforcement Division of this matter for further evaluation.

Thank you in advance for your prompt attention to this important matter. I look forward to hearing from you.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Henry McMaster", written in a cursive style.

Henry McMaster

cc: Chief Mark Keel
South Carolina Law Enforcement Division

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: Nov. 16, 2021

Name of individual or group: Lindsay Gollit

Contact person for group: _____

Phone _____

Address _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer by Maia Kobabe

Have you read, watched or listened to the entire work?

I have read portions and seen the illustrations.

What is your concern about this resource? Please be specific.

There are sexual pictures- especially the one of two naked people having sex that should not be made public and be accessible to youths.

What action do you seek as a result of this complaint?

removal of book, and in future not using public funds to purchase pornography

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

I understand that the library is public and not Christian, but I think we can all agree that public funds shouldn't be used to purchase pornographic images and especially not to be placed where they could easily fall into the hands of youths.

Lindsay Gollit

Signature of Patron

Nov 16, 2021

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 12/13/21

Name of individual or group: Elizabeth Greenawalt

Contact person for group: _____

Phone: _____

Address _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

No, and I don't wish to. I read articles about this book and know enough to not want it to be accessible to especially children.
What is your concern about this resource? Please be specific.

- 1) It is pornographic
- 2) Normalizing pedophilia
- 3) By being in cartoon form, it makes cartoon pornography available to children on tax payers dime.

What action do you seek as a result of this complaint?

Removal of this book and any others that are like it from the library

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

<https://www.dailywire.com/news/american-library-association-transgender-queer-comics-schools>

Elizabeth Greenawalt
Signature of Patron

12/13/21
Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/16/2021

Name of individual or group: Zach and Stacy Kanis

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

No. I've heard and read excerpts and seen comic images.

What is your concern about this resource? Please be specific.

The book includes obscene material that could easily fall into the hands of minors. The book promotes sexual relationships between adults and a minor-pedophilia. Just as the FDA banned candy-flavored cigarettes b/c it was an insidious attack by tobacco makers to target/addict children to a product that's harmful to them, the library should

What action do you seek as a result of this complaint? recognize pornographic comics are going to be especially (and intentionally) attractive to minors, for whom they are especially damaging. I ask you REMOVE this book for violating community standards, basic decency, and celebrating pedophilia.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

I would suggest the library adopt a policy that excludes material that glamorizes the sexual exploitation of children.

Stacy Kanis

Signature of Patron

Zach Kanis

11/15/21

11/15/21

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/11/21

Name of individual or group: Kelli Kruid

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer by Maria Kobabe

Have you read, watched or listened to the entire work?

More than enough

What is your concern about this resource? Please be specific.

This book contains graphic cartoon images of sex acts, including oral sex, and it promotes pedophilia - picture of man & boy naked and engaging in sex acts with references to "Symposium" which promotes pedophilia.

What action do you seek as a result of this complaint?

Removal of book from the library

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728 definitions, any website that shows how pedophilic grooming happens

K Kruid

 Signature of Patron

11/11/21

 Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/21

Name of individual or group: Kystel Lefevre

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer Maia Kobabe

Have you read, watched or listened to the entire work?

No. I saw ~~see~~ a sampling

What is your concern about this resource? Please be specific.

This book is a graphic novel, which is a style appealing to kids. However, the content is pure pornography. There are pictures of oral sex and other images of an older man with an underage boy.

What action do you seek as a result of this complaint?

Bare minimum - book removed from the free perusing shelves and placed behind the I prefer the book removed as a whole.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728 specifically outlines pornography.

Kystel Lefevre
 Signature of Patron

11/15/21

Date

6.1 Selection

Thank you for your work on this issue + for our community.

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/21

Name of individual or group: Jam, Marshall

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

No

What is your concern about this resource? Please be specific.

This book contains graphic images of sexual acts; specifically an adult and a child engaging in ~~sexual~~ sexual act - promotion of

What action do you seek as a result of this complaint?

This work, and like books, should be removed and not acquired in the future. At the very least

pedophilia - marketed to readers under the age of consent.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728

requests should be necessary to borrow this book

Jam Marshall

Signature of Patron

11/15/21

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11.15.2021

Name of individual or group: Jill McKinstry

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer by Maia Kobabe

Have you read, watched or listened to the entire work?

no

What is your concern about this resource? Please be specific.

Pornographic content

Pedophilia

"comic book" style targets children

What action do you seek as a result of this complaint?

Remove book from library collection

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Jill McKinstry

 Signature of Patron

11.15.2021

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11-15-21

Name of individual or group: Erin Meinders

Contact person for group:

Phone:

Address:

City:

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

Not entirely

What is your concern about this resource? Please be specific.

There are graphic images of Sexual acts including what can be described as Pedophilia - a man and a child having sex.

What action do you seek as a result of this complaint?

I would like this book and other books that pictorially show sexual acts removed from the library.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728

Erin L. Meinders

Signature of Patron

11-15-21

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/17

Name of individual or group: Evelyn Nickel

Contact person for group: " "

Phone

Address

City:

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer
Maia Kobabe
Graphic Novel

Have you read, watched or listened to the entire work?

No

What is your concern about this resource? Please be specific.

obscenity
fornication
sodomy
transgender push

What action do you seek as a result of this complaint?

banned/removed
put on interlibrary loan
put on electronic media

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Lt. Governor of North Carolina
Parents groups


 Signature of Patron

11/17/21
 Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/21

Name of individual or group: Natie Roorda

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer : A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

Not the entire book.

What is your concern about this resource? Please be specific.

This book displays pornographic images and acts and should not be available for young people and children to see.

What action do you seek as a result of this complaint?

Removal of this book, and any others like it, or to be placed ~~on~~ behind the counter to be viewed by adults at special request only.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728

Natie Roorda

Signature of Patron

11/15/21

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/13/2021

Name of individual or group: Ivett Shover

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer Memoir Maia Kobabe

Have you read, watched or listened to the entire work?

NO I saw some pages, that was more than enough

What is your concern about this resource? Please be specific.

there are pictures of sex, graphic pictures which look like a man and child are having sex

What action do you seek as a result of this complaint?

to remove the book and any other like it
 * Minimal result would be to have the content behind a lock door, special request only
 Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic? law.justia.com
I am Code 728

Ivett Shover
 Signature of Patron

11/13/2021
 Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11/15/21

Name of individual or group: Michael Shover

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer: A Memoir by Maia Kobabe

Have you read, watched or listened to the entire work?

No

What is your concern about this resource? Please be specific.

There are graphic images of sexual acts including what can be described as Pedophilia - a man and a child having sex.

What action do you seek as a result of this complaint?

I want this book removed from the Pelham Library, and any other book with similar content. Or placed behind lock and key to be released only upon special request of an adult.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Iowa Code 728

Michael Shover

Signature of Patron

11/15/21

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 15 Nov 2021

Name of individual or group: Traci Soldan

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer by Maia Kobabe

Have you read, watched or listened to the entire work?

No, I do not want to see the drawings of sex that are in this book.

What is your concern about this resource? Please be specific.

It has drawings of different kinds of sex.

What action do you seek as a result of this complaint?

Please remove the book from the Pella Public Library bookshelves.

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Gender, Lies and Suicide by Walt Heyer

Traci Soldan

Traci Soldan

Signature of Patron

15 Nov 2021

Date

STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Library Director and the Board of Trustees are aware that patrons may take issue with the inclusion of specific items, programs, or practices, and they welcome the expression of concern by our patrons.

Today's date: 11-16-21

Name of individual or group: Amber Wheeler

Contact person for group: _____

Phone: _____

Address: _____

City: _____

Resource you are concerned with:

☒ Book or Magazine ☐ Video/DVD ☐ Audio recording/CD
☐ Electronic information ☐ Library program ☐ Display/exhibit ☐ Other

Title, Author, other identifying information:

Gender Queer by Maia Kobabe

Have you read, watched or listened to the entire work?

No

What is your concern about this resource? Please be specific.

The photos in this book are not appropriate for children of any age to be able to have access to view. We should not be putting our children at this risk.

What action do you seek as a result of this complaint?

Remove the book from the library

Are there resource(s) you suggest that provide additional information and/or other viewpoints on this topic?

Amber Wheeler
 Signature of Patron

11-16-21
 Date

12/27/21

Dear Kelli Kruid,

I am writing regarding the hearing you requested before the Library Board of Trustees in follow-up to the Expression of Concern you submitted regarding the book *Gender Queer: A Memoir* by Maia Kobabe.

Attached you will find a draft of the minutes to the Board meeting and hearing which took place on Tuesday, 12/14 at 4 pm. The minutes summarize the Board's discussion and their decision regarding the book mentioned above.

Sincerely,

Library Board of Trustees - Pella Public Library

Brenda Huisman - President

bhuisman@cityofpella.com

12/27/21

Dear Ivette Shover,

I am writing regarding the hearing you requested before the Library Board of Trustees in follow-up to the Expression of Concern you submitted regarding the book *Gender Queer: A Memoir* by Maia Kobabe.

Attached you will find a draft of the minutes to the Board meeting and hearing which took place on Tuesday, 12/14 at 4 pm. The minutes summarize the Board's discussion and their decision regarding the book mentioned above.

Sincerely,

Library Board of Trustees - Pella Public Library

Brenda Huisman - President

bhuisman@cityofpella.com

PELLA PUBLIC LIBRARY
Board of Trustees Meeting
December 14, 2021

I. Call to Order: President Brenda Huisman called the meeting to order at 4:00 p.m. Board members present were Suzy Card, Nathan Copeland, Darath Fisher, Kristi Leonard, Dayrel Gates and Matt Van Gelder. Library Director Mara Strickler was present. Meeting held at the Pella Police Station (City Council Chambers).

II. Approval of Agenda: The December meeting agenda was received by all Board members prior to the meeting. There were no changes to the agenda. The agenda stood as presented.

- **Nathan motioned for December's meeting agenda to be approved as presented, Kristi seconded the motion.**
 - **Motion was unanimously approved**

III. Recognition of Visitors and Visitor Comments:

2 Library staff members and 44 members of the general public attended in person. Additional visitors may have been present however only 44 names were listed on the Visitor Attendance Sheet.
9 members of the general public attended via conference call.

Brenda Huisman addressed the audience and instructed all visitors would be provided 3 minutes to present their comments for the Board to hear.

27 visitors provided comments regarding the book "Gender Queer" an illustrated memoir by Maia Kobabe. Community statements included comments both for and against retaining the book at the library.

Brenda Huisman addressed the audience one final time to confirm all visitors present were provided an opportunity to comment.

- No further comments were provided

Brenda instructed the public the Board would proceed as planned and complete two agenda items prior to addressing the Expressions of Concern hearing.

IV. Disposition of Minutes: All Board members received the November 9, 2021 meeting minutes prior to the meeting. There were no changes to the November minutes. The minutes stood as presented.

- **Suzy motioned for November's meeting minutes be approved as presented, Dayrel seconded the motion**
 - **Motion was unanimously approved**

All Board members received the special November 29, 2021 meeting minutes prior to the meeting.

There were no changes to the special November 29th minutes. The minutes stood as presented.

- **Brenda motioned for November 29th's meeting minutes be approved as presented, Matt seconded the motion**
 - **Motion was unanimously approved**

V. Approval of Bills: All Board members received the December list of bills prior to the meeting. After a brief discussion and questions regarding the bills,

- **Brenda motioned for the December bills be approved as presented, Kristi seconded the motion**
 - **Motion was unanimously approved**

Discussion:

- Mara – Large expense for the annual magazine subscriptions
- Suzy – Q: Have we considered Pella fiber for the library's internet provider?
 - Mara: yes, unfortunately service is not available for the library currently. Discussions will continue with Pella Fiber for future quoting. Expectation is the price will be lower than current provider.
- Brenda – Q: What is the charge for Midwest tape?
 - Mara: This is the billing for Hoopla.

VI. Unfinished Business:

- a. Hearings regarding Expression of Concern, for the book "Gender Queer" an illustrated memoir by Maia Kobabe: Kelli Kruid
 - a. Shared concerns for the book being visually focused, specifically a "graphic novel" vs. a "narrative".
 - b. Called for the removal of the book or that it be placed behind the counter for the protection of children.
- b. Hearing on Expression of Concern, regarding the book "Gender Queer" an illustrated memoir by Maia Kobabe: Ivette Shover
 - a. Believes the book is pornography.
 - b. Shared concerns to protect children from this book.
 - c. Shared a belief that Pella has a standard and this book does not meet that standard.
- c. Board deliberation
 - a. Brenda asked for Library staff's perspective
 - i. Mara read a prepared statement to the Board.
 1. Shared a public library's responsibility to deliver Intellectual Freedom.
 2. Removal of the book would constitute limiting access.
 3. Library staff received a patron request for the book.
 4. Staff agreed the book met the library's policy, 6.1 Collection Development.
 5. When book was received, community standards were considered and the book, Gender Queer, was placed in the adult reading section.
 - a. Staff research found other libraries catalogue the book in the YA/Teen section.
 6. The placement of the book in the adult section is consistent with previously established standards around language and imagery.
 7. The library provides diverse materials for all ages and interests. As a result, parents/guardians need to guide children where to find materials that fit their interests and maturity. Ultimately setting appropriate boundaries for their children.
 8. Library staff do not serve in *loco parentis*.
 9. Gender Queer does contain some explicit content however it does not violate Iowa Law or Library policy.
 10. Gender Queer addresses issues of gender identity, sexual identity, family dynamics, consent, and body dysmorphia all contribute to substantive content of the narrative and demonstrate the literary value.
 11. Gender Queer has been well reviewed and has clear narrative and meet standards for both artistic and literary merit.
 12. Removal of the title would open the door to removal of many other established works.

- b. Chris Brown, Assistant Library Director, shared
 - i. Perspective on obligation of service: Pella serves all patrons regardless of age, religion, gender identity, or sexual orientation.
 - ii. Iowa confidentiality laws and professional ethics as a Librarian.
 - iii. Differences between a school and a library's obligations.
 - 1. Specifically, schools take on legal responsibilities for children
 - a. "loco parentis"; (Latin) in the place of a parent
 - 2. Libraries do not have this right/responsibility and therefore need parental support within the library.
- c. Several Board members shared:
 - i. Thanks to all community members who attended and shared their personal concerns, whether for or against the retention of the book
 - ii. Thanks to staff for providing their professional service and review of Iowa Law and Library Policies.
 - iii. Brenda and Darath
 - 1. Stated questions they heard:
 - a. What is educational (in the book, Gender Queer)?
 - b. Why should the book stay?
 - c. What do we hope (to gain) by having it on our shelves?
 - d. Should this book be treated differently because of its pictorial/graphic nature vs. being written?
 - e. Could the access be changed?
 - i. online only, be held behind the counter, not be knee height or below for smaller children to simply grab off the shelf
 - f. What are community standards and how are these determined?
 - g. How could it be determined if this book violated community standards?
- d. Kristi:
 - i. Heard several terms that are defined differently per person.
 - 1. What is educational to one person, may not be for another.
 - 2. What is helpful to one, may not be helpful to another.
 - 3. What is considered family to one, may not be considered family to another.
 - ii. The library is welcoming and inclusive for all.
 - iii. Promotes civil dialogue and conversation between people.
 - iv. Appreciated the many different perspectives viewed, shared, and listened to (by the Board) from the community.
- e. Suzy
 - i. Did this book get its due process?
 - ii. Disheartened that concerns were expressed by people who did not read the whole book
 - iii. After reading the book herself did not see the claims of pedophilia.
 - iv. Based on 30 yrs in education, this book would help many kids that are struggling with their identity.
- f. Nathan
 - i. Shared the responsibility of the Board is to review and approve Library policies.
 - ii. Library policies have been in place for some time and are reviewed/changed to align with the changing community standards.
 - iii. Shared the State Library helps guide libraries and their Boards on best practices
- g. Kristi
 - i. Apologized for her early departure due to a previously scheduled commitment (Kristi left at 5:40 p.m.)
- h. Brenda

- i. Following review of Library Policy 6.1: Collection Development, all Expression of concern letters, the Director's letter to patrons who sent Expression of Concern, Iowa code 728, and continuous conversation with the Library Director; the Collection Development policy was followed.
 - ii. Regarding the Expression of Concern's claim the book has obscene material, Brenda read Iowa Code Chapter 728, section 728.1 subsection 5 and stated the book, Gender Queer is a memoir and does not lack "serious literary" value.
 - iii. Brenda concluded by sharing Chapter 728, section 728.7 – Exemptions for public libraries and educational institutions.
- i. Dayrel
 - i. "The author's story was enlightening and an experience I had never thought to ask about, and I found the book to have value."
 - ii. Some of the complaints were taken out of context and did not consider the book as a whole.
- j. Matt
 - i. This book was not something he would normally read without having to go through an Expression of Concern hearing.
 - ii. The Board and Library serve the whole community and people here tonight found merit in the book.
 - iii. Further personal research found there are many people who have found something about themselves through reading the book.
- k. Darath
 - i. Feel torn as a parent and as a Board member. As a parent I can relate to those who expressed concern about the pictorial elements of the book. As a member of the Board, I need to look at the book to determine if the book falls within the current policies.
 - ii. Bigger issue at hand is not about the book, but about our policies. However, this is not what the group needs to decide tonight.
 - iii. As best as I can tell, I believe the decisions made on this book fell in-line with the library's current policies.
- l. Nathan
 - i. Meeting's purpose is to decide on the Expression of Concerns for the book, and to hear the community's comments.
 - ii. Comments provided may result in future changes to policy.
 - iii. Q: Is there any precedence to an Expression of Concern resulting in a change to policy?
 - 1. Mara – Not that she is aware of, this is the first Expression of Concern dealt with at the library.
- m. Mara and Brenda asked the Board if there was any further questions or information needed to proceed with a decision.
- n. Following deliberation of the requested Expression of Concerns, comments and questions by community members, library staff statements, review of Library policies and State Law the board had reach a conclusion.
- o. **Suzy presented the motion to retain the book, "Gender Queer", in the adult section as the Board has found Library policy 6.1 Collection Development was followed, Dayrel seconded the motion**
 - 1. Yea(s) – Matt, Dayrel, Nathan, Suzy, Darath, and Brenda
 - 2. Nay(s) – none
 - 3. Absent – Kristi
- d. **Darath presented a motion to table all remaining agenda items until the next Board meeting on January 11, 2022, Nathan seconded the motion**
 - a. **Motion was unanimously approved**

XII. Adjournment: President, Brenda H. adjourned the meeting at _6:06 _ p.m. The next regularly scheduled Board Meeting is scheduled for January 11, 2022. Location: Pella Public Library Heritage Room

The Board of Trustees for the Pella Public Library has the type of authority referred to as “administrative authority”. This authority is granted to public libraries in Iowa by virtue of two documents, the Code of Iowa Chapter 392.5 and the Pella Library ordinance. The very term “trustee” indicates what the community expects from us. The community puts its trust in us to make sure the library is operating the way it should and that the library is achieving desired outcomes. It is our job to keep an eye on the progress of the library for the community. The city appointed and approved all members of the current Board of Trustees.

Our board has a gender balance, a variety of ages, a variety of occupations and knowledge bases, and many members participate in community groups and organizations. While this is a voluntary position there is significant responsibility and time commitment required that is more than other volunteer activities. As we gain experience during our three year term we continue to learn about library philosophy, service statistics, trends, and policies. We are also required to participate in a variety of trustee trainings each year. It is recommended each Trustee average 5 hours for the year.

Iowa Code 392.5 protects library boards and the powers of the library trustees against direct city control over libraries. This insulates library governance from political influence and safeguards intellectual freedom. The reason Trustees are important is for such an instance as the hearing of concern at the December Library board meeting. A proposal to alter this composition, manner of selection, or change of a library board, or to replace it with an alternative form of administrative agency, is subject to the voters of the city.

Trustees hire and evaluate the director, determine salaries and compensation for the director with the guidance of city administration, establish the library’s line item budget within the funding limits established by the city council, oversee spending and approve the library’s expenditures, develop and adopt policies for the library’s operation, and engage in short and long term planning for the library’s future. We are an active, well-informed library board that is critical to a progressive and successful library. Trustees have and continue to build a relationship of mutual respect and honest communication with Mara. We understand our role in library governance, exercise our authority by state and local statute, and accept our responsibility for overseeing the library operations.

Pella’s trustee board has two sub committees. The personnel committee oversees the director evaluation and the policy committee reviews all policies on a two year cycle. The Collection Development policy was reviewed and revised in February 2021. It is consistent with the U.S. Constitution, the American Library Association Intellectual Freedom manual, and the Iowa Library Association Intellectual Freedom Resource Guide. Building a collection involves a studied approach to the selection, maintenance, development, and evaluation of the library’s materials. The need of the community was a driving force in obtaining Gender Queer for our library. It was requested by a patron; researched, reviewed and ordered by staff; trustees were informed of the purchase as well as the public concerns about the book; Trustees all read the book prior to the December 2021 Hearing. After hearing concerns and a lengthy discussion the book Gender Queer was found to not be in violation of Iowa code 728 and was added to the library in accordance with the Collection Development Policy. We didn’t defend the item, we defended a person’s right to read the book.

As a trustee we are defenders of intellectual freedom, defined by the American Library Association as “the right of every individual to both seek and receive information from all points of view without restriction.” Library staff responsible for developing a collection are selectors, not censors. Selectors

believe in the individual's right to examine and evaluate material and make personal choices about them; censors believe in examining, evaluating, and choosing materials for others. Our collection development policy supports the right of all members of the community to have access to a wide range of materials, even when that includes items which some people find objectionable.

"If this nation is to be wise as well as strong...than public libraries should be open to all except the censor. Let us welcome controversial books and controversial authors. For the Bill of Rights is the guardian of our security as well as our liberty." John F. Kennedy

Information on Library Governance is taken from the State Library of Iowa – Public Library Standards and Iowa Library Trustee's Handbook 2021 Edition

Brenda Huisman

President of the Pella Library Board of Trustees

Regarding the Expression of Concern of the book *Gender Queer: A Memoir* by Maia Kobabe:

Public libraries, including the Pella Public Library, are guided by the principle of intellectual freedom which is defined as the right of every individual to both seek and receive information from all points of view without restriction. Regardless of any one person's personal opinion of an item, the removal of a title or limiting access to an item due to its content goes directly against Library policy and the professional ethics of Intellectual Freedom and the freedom to read.

As the Library's Collection Development policy states, "selections are made to provide depth and diversity of viewpoints to the collection.", the inclusion of the book *Gender Queer* in the Library's collection is consistent with Library policy and professional ethics. In addition, prior to ordering the title, Library staff had received a request from a community member for the title, Library staff read professional reviews of the titles, and the Library's existing collection on the subject was evaluated. Using these criteria, as well as the fact that this is currently a high demand title which is difficult to borrow from other libraries, Library staff determined that it was an appropriate purchase for the adult collections.

Per our policy, we provide materials for people of all ages and interests, and we respect parents and families to manage what materials are viewed and borrowed. Parents are expected to help their child know where they will find materials that will fit their interest and maturity and set appropriate boundaries for their child. While Library staff do not serve in loco parentis, Library staff do work to make sure that patrons know where they will be able to locate materials that will meet their informational and recreational needs and not mislead or misdirect them, this is an important part of Library services.

Library staff were conscientious in evaluating the book upon receipt and making the determination on where to shelve the title in a manner that is consistent with past practice. The book, as discussed, does contain mature subject matter, and is therefore shelved in our adult collections. This is consistent with the practice of the Library to shelve materials containing explicit content separate from those for youth and children. As professionals, we respect the need to separate materials based upon content, including language and imagery. Indeed, Library staff have been cautious and worked to be considerate of community concerns by placing the item in the adult collection as the majority of public libraries that hold this title have cataloged it in the YA/Teen collections.

Concerns have been raised that this book is pornographic and promotes childhood sexual abuse and therefore violates Iowa Code 728. This is not the case. While the book under discussion does include some explicit content, this does not violate Iowa law or Library policy. The explicit images are fleeting (four panels; p. 61, p.135, p. 167), depict adults in mature situations to further the overall story, and are not intended to titillate or arouse the reader. The contested title addresses issues related to gender identity, sexual identity, family dynamics, consent, and body dysmorphia, all of which contribute to the substantive content of the narrative and demonstrate its literary value. As a whole, the book has been well reviewed, it has a clear narrative, and meets standards for both artistic and literary merit.

Finally, it is the role of the Library Board to work with Library Staff to draft and adopt written policies to govern the operation of the Library, including the selection of materials, supplies, and equipment. The removal of a title based upon content would not only go against the established role of the Trustees and the existing policy approved by the Library Board, but it would open the door to the removal of many other established works that have literary and artistic merit, historical value, and cultural significance.



THE
CITY of PELLA

STAFF MEMO TO COUNCIL

INTEROFFICE MEMORANDUM

TO: Mayor & Council
Mike Nardini, City Administrator

FROM: Mara Strickler, Library Director

DATE: December 30, 2021

SUBJECT: Pella Public Library Report – Policy & Planning Work Session: 1/4/22

To put the Library's operations in perspective, I would like to provide the following information:

- The Library adds approximately 3,000 physical items to the collection annually.
- 226,789 physical items and 26,390 digital items were borrowed in FY 20/21.
- There are currently approximately 81,000 physical items in the Library's collection.
- We currently have approximately 9,700 cardholders.
- Selection of Library materials are made to provide depth and diversity of viewpoints.
- Library materials are regularly assessed and removed from the collection.

Regarding recent objections to the book *Gender Queer: A Memoir* by Maia Kobabe:

The issue of retaining a single book in a Library's collection goes far beyond the content of a single book. If a single item is removed from a Library due to its content, then it becomes possible for any book to be removed based upon a subjective set of criteria. This goes against the principles of the profession to provide educational and recreational resources for the community as a whole. Book challenges are frequently reactions to books that address sensitive subjects from a new and previously unheard perspective. A wide array of books in a public Library ensures that every person will find themselves represented within the collection and will have the opportunity to be exposed to opposing viewpoints and perspectives. As mentioned above, Library materials are regularly assessed by trained Library professionals for quality, condition, and space, and to ensure that materials are cataloged appropriately. While various Library materials do contain explicit or mature content, which has always been the case, they are evaluated for literary, scientific, political, or artistic value. Explicit works are always handled conscientiously and respectfully by Library staff based on the age, maturity, and reading level of the prospective borrower. It is vital that a public Library's collection reflect a broad range of materials to meet the needs of the whole community.

Respectfully,
Mara Strickler

12/30/2021



THE
CITY of PELLA

STAFF MEMO TO COUNCIL

ITEM NO: I-2
SUBJECT: City Council Procedural Rules Review
DATE: January 4, 2022

BACKGROUND:

The purpose of this Policy and Planning topic is to review the City Council Procedural Rules which were initially adopted on September 17, 2002. The purpose of the rules is to establish guidelines for conducting City Council meetings that are efficient yet allow for orderly participation and sharing of ideas and opinions. These rules are reviewed and approved in January of each even numbered year.

Staff is seeking Council input as to any changes they would like to consider making to the City Council Procedural Rules.

ATTACHMENTS: City Council Procedural Rules
REPORT PREPARED BY: City Administration
REPORT REVIEWED BY: City Administrator, City Clerk
RECOMMENDED ACTION: Seeking Council direction

CITY OF PELLA, IA.

CITY COUNCIL PROCEDURAL RULES

Adopted September 17, 2002
Revised January 20, 2004; January 17, 2006; January 2, 2008; January 19, 2010
Approved January 17, 2012; January 21, 2014; February 2, 2016; January 16, 2018
Revised January 21, 2020; December 15, 2020

Part I: General Provisions

Rule 1: Scope

These rules shall govern the conduct of the City Council and shall be interpreted to ensure fair and open deliberations and decision making.

Rule 2: Rules of Order

The generally accepted rules of procedure found in Robert's Rules of Order Newly Revised (RONR), published in 2011, shall govern City Council meetings unless a change from those rules is approved by the Mayor and Council for a specific reason. The Council shall generally avoid invoking the finer points of parliamentary rules in order to encourage free and open discussion of issues by members and the public.

Rule 3: Matters Not Covered

Any matter of order or procedure not covered by these rules shall be decided by the presiding officer, with the assistance and advice of the City Attorney. The City Attorney shall act as parliamentarian.

Rule 4: Interpretation

These rules are intended to supplement, and shall be interpreted to conform to, the Statutes of the State of Iowa, the Ordinances of the City of Pella, and Roberts Rules of Order.

Part II: Time and Place of Meetings

Rule 5: Regular Meetings

Regular meetings of the City Council are held the first and third Tuesday of every month at 6:00 PM in the Training Room of the Pella Police Department at 614 Main Street. If the regular Council meeting in November falls on an election day (first Tuesday following the first Monday), then the meeting will be moved ahead one day to Monday at the same time and location. Council may continue, reschedule, or postpone any regular meeting to another date and time, or may cancel a meeting.

Rule 6: Special Meetings

The Mayor, or in the Mayor's absence, the Mayor Pro-Tempore, may call for a special meeting. Twenty-four (24) hours written advance notice, in accordance with Iowa Code, shall be provided. The call for a special meeting shall specify the place, day, hour, and agenda for the meeting and shall be posted on the City Hall public notice bulletin board.

Rule 7: Closed Session

A closed session may be held during a regular or special meeting only by an affirmative vote of either two-thirds (2/3) of the entire City Council or all of the members present at the meeting. The City Council may hold a closed session only to the extent a closed session is necessary and for discussion of any statutorily authorized purpose, including, without limitation, the following:

- A. Records deemed confidential by State or Federal law,
- B. Application for letters of patent,
- C. Strategy with legal counsel regarding present or imminent litigation,
- D. Licensing examination or investigation,
- E. Law enforcement matters involving investigations, inspection, auditing, selection, prosecution or settlement of cases,
- F. Evaluation of professional competency of an individual for appointment, hiring, performance or firing, when the individual requests a closed session,
- G. Real estate matters where premature disclosure could increase the cost to the City or reduce the price the City would receive for the property.

or as otherwise allowed by Iowa Code.

The vote of each member on the question of holding the closed session and the reason for holding the closed session shall be announced publicly at the open session and entered into the minutes. Final action on any matter will be taken in open session. The closed session shall be audio recorded with detailed minutes noting persons in attendance and the general subject discussed. The minutes and audio recording shall be sealed and shall not be public records open to public inspection. However, upon order of the court, the detailed minutes and audio recording shall be unsealed. The detailed minutes and audio recording shall be kept for a period of at least one year from the date of that meeting. The only exception is in the case of the purchase of real estate. Per Iowa Code, the minutes and audio recording of a closed session dealing with the purchase of real estate shall be available for public examination when the transaction discussed is completed.

Council members shall keep confidential all written materials and verbal information provided to them during closed sessions to ensure that the City's position is not compromised.

Part III: Agenda**Rule 8: Preparation of the Agenda**

Prior to each regular Council meeting, the City Administrator shall prepare and the City Clerk shall post an agenda which contains all items of business to be presented at the Council meeting. The Council may adopt the agenda as presented or may amend the agenda as provided by these rules and then adopt the agenda as amended. Additions and deletions to the agenda shall be in accordance with Iowa Code.

Rule 9: Consent Agenda

In order to make more efficient use of meeting time, the agenda shall separately designate items on a "Consent Agenda" which may be acted upon by the Council with a single vote. The "Consent Agenda" shall consist of routine, non-controversial items that need not be individually considered at the Council meeting. Prior to the time a vote is taken on the consent agenda items, the Mayor or any Council member may remove an item for individual consideration. That item will then be voted on separately while the rest of the consent items will be acted on as a whole.

Rule 10: Public Hearings Agenda

The Clerk shall include legally required public hearings in a separate section of the agenda designated as "Public Hearings." A hearing shall commence when declared open by the presiding officer. The presiding officer shall announce the nature of the matter to be heard, call for any written comments received and to be read into the record and then call for oral comments. The hearing shall be closed by formal action of the Council. The presiding officer may, with the approval of the Council, prior to a hearing that is anticipated to be long or controversial, announce special rules to help govern the orderly presentation of public comment.

Part IV: Conduct of Meetings**Rule 11: Roll Call**

A majority of all City Council members (four) shall constitute a quorum for the transaction of business. Before proceeding with the business of the Council, the City Clerk shall note members present, and enter those names in the minutes. The Clerk shall determine the presence of a quorum as required by law and these rules.

Rule 12: Call to Order

The Mayor or Mayor Pro-Tempore shall call the meeting to order at the appointed hour. In the absence of the Mayor or Mayor Pro-Tempore, the City Clerk shall call the meeting to order and a temporary presiding officer shall then be selected, in accordance with Rule 13.

Rule 13: Presiding Officer

The Mayor, or in the Mayor's absence or incapacity, the Mayor Pro-Tempore, shall be the presiding officer at all Council meetings. If both the Mayor and Mayor Pro-Tempore are absent, the Council member present with the longest service will serve as the presiding officer, or if he/she declines, the Council shall elect a presiding officer for the meeting.

Rule 14: Presiding Officer Duties

The presiding officer shall preserve order and decorum and facilitate discussion of the Council agenda items to promote equitable participation in accordance with these rules and ensure that all important topics are covered. The presiding officer has the responsibility for seeing that meetings are run smoothly and in an orderly manner.

Rule 15: Order of Consideration of Agenda

Except as otherwise provided in these rules, each agenda item shall be considered in the order shown on the agenda. Each agenda item shall be separately announced by the presiding officer for

purposes of discussion and consideration. This rule shall not apply to consideration of items listed on the consent agenda. If the Mayor or other member of the Council asks to "suspend the rules" for purposes of reordering the agenda, the Council shall take a vote to modify the placement of the agenda item(s), for good cause, with two-thirds (2/3) approval of the Council present needed.

Rule 16: Call for the Question

The object of a motion to "Call for the Question" is to bring the Council to a vote on the question before it without further debate. This motion must be seconded and debate is not allowed. If the motion calling for the question passes, then a vote must be held on the original motion. Passage of the motion calling for the question requires affirmative votes by two-thirds (2/3) of the Council present.

Rule 17: Discussion

A Council member shall speak after being recognized by the presiding officer. A Council member, after being recognized, shall not be interrupted, except by the presiding officer, to enforce these rules. The presiding officer cannot close debate as long as any member desires to speak.

Rule 18: Limit on Remarks

Each Council member shall limit his/her remarks to a reasonable length and confine them to the question before the Council.

Rule 19: Presiding Officer's Right to Enter into Discussion

The Mayor, or other presiding officer as a member of the Council, may enter into any discussion.

Rule 20: Votes Necessary for Passage

Four (4) Council members constitute a majority of the Council and are necessary for approval of any policy matters, resolution, or ordinance. Any other motions before the Council may be approved with a majority of the Council present.

Rule 21: Mayoral Voting Rights

So long as the City is governed by the Mayor-Council form of government composed of a Mayor and a Council consisting of two (2) Council members elected at large, and one (1) Council member from each of the four (4) wards, the Mayor may vote to break a tie vote on motions not involving ordinances, resolutions, or appointments made by the Council alone.

Rule 22: Mayoral Veto Power

The Mayor may sign, veto, or take no action on an ordinance, amendment, or resolution passed by the City Council. The Mayor may not veto a motion passed by the Council. The Mayor Pro-Tempore may not veto a measure if he was entitled to vote on the measure at the time of passage. The Mayor may exercise his veto power within fourteen (14) days of the passage and he must explain the reason in writing for such veto to the Council members at the time of the veto. The Council members may override the Mayor's veto by a two-thirds (2/3) majority of the Council, or four (4), within thirty (30) days of the veto.

Part V: Citizen Participation

Rule 23: Citizen's Right to Address Council

At certain times during a Council meeting, members of the audience shall be permitted to address the Council. Other than during the public hearing portion of the agenda, the presiding officer shall, at his/her discretion, recognize members of the audience during consideration of specific items. During the public forum portion of the agenda, members of the audience may address the Council regarding any agenda items. During the other business/public forum portion of the agenda, members of the audience may address the Council on various issues.

Rule 24: Manner of Addressing Council: Citizens

A person desiring to address the Council shall step to the microphone and upon being recognized by the presiding officer, state his/her name, address, and group affiliation (if any) and speak clearly into the microphone and direct comments to the Mayor and City Council. If addressing the Mayor and Council during debate on a specific agenda item, the individual shall confine his/her remarks to that item alone. Citizens making personal, impertinent, or slanderous remarks shall be barred by the presiding officer from further comment before the City Council during that meeting.

Rule 25: Time Limit on Citizen's Remarks

An individual citizen shall be limited to three (3) minutes speaking on any subject covered under Rule 23, unless additional time is granted by the presiding officer. Total citizen input on any subject under Council consideration may be limited to a fixed period by the presiding officer. The purpose of this rule is to help the presiding officer run the meeting efficiently. The length of time allowed is somewhat arbitrary.

Part VI: Council Action

Rule 26: Motion Required

All actions requiring a vote shall be moved and seconded by a member of the Council.

Rule 27: Motion to Reconsider

A motion to reconsider a prior vote shall be made by a Council member who was on the prevailing side in the original action. The motion to reconsider may be made at the same meeting of the original action or at either of the next two (2) regularly scheduled meetings of the City Council immediately successive to the original action.

Rule 28: No Motions by Presiding Officer

The presiding officer shall not make a motion, but may vote if the presiding officer is not the Mayor at the time of the vote.

Rule 29: Separate Consideration

Except as otherwise required by these rules, each agenda item shall be voted upon separately. Each motion shall require a second and each vote shall be recorded by the City Clerk.

Rule 30: Roll Call Votes

The Mayor or any member of the Council may request that a roll call vote be taken on a specific issue. The presiding officer will then direct the City Clerk to call for each Council member present to cast his/her vote individually. The presiding officer will then read the results of the roll call. All resolutions and ordinances require a roll call vote.

Rule 31: Council Votes Necessary to Overturn Protests, Amendments, or Rezonings

In the case of a written protest against a change or repeal which is **A.** filed with the City Clerk and signed by twenty percent (20%) or more of the owners of the lots included in the change, or **B.** by the written protest of the owners of twenty percent (20%) or more of the property which is located within two hundred feet of the exterior boundaries of the property for which the change or repeal is proposed, or **C.** to overturn an amendment or rezoning when the Planning and Zoning Commission denied the application. In these cases, a three-fourths (3/4) vote of all the members of the Council, or five (5) Council members, would be necessary for passage. The protest, if filed, must be filed before or at the public hearing.

Rule 32: Council Votes Necessary to Suspend Rules and Waive Readings of an Ordinance

The Council may waive the second and third readings of an ordinance. A three-fourths (3/4) vote of all the members of the Council is necessary to suspend the rules and waive the second and third readings of an ordinance.

Rule 33: Abstentions Due to Conflict of Interest

If it is determined by any member of the City Council that he or she has a conflict of interest on an agenda item, said member shall so declare the nature of his/her conflict prior to commencement of discussion of the agenda item. Upon declaration of his/her conflict of interest, the Council member shall refrain from discussion or action on the item.

Abstentions due to conflicts of interest shall not count as votes for the purpose of determining whether there has been an affirmative vote of a majority of the members present, but shall be counted for the purpose of determining whether a quorum is present. The vote of member(s) who abstain due to conflict of interest shall be registered as an abstention.

Rule 34: Abstentions Not Due to a Conflict of Interest

Any member of the City Council who has not declared a conflict of interest but casts a pass vote or abstains from voting shall have that vote registered as a yes vote.

Part VII: Other Provisions**Rule 35: Interaction with Litigants**

The Mayor and City Council will not discuss City matters involved in pending/active lawsuits with litigant(s) or litigant's representatives unless the City Attorney is present to provide legal guidance.

Part VIII: Amendment of Procedural Rules

Rule 36: Amendments to Procedural Rules

These rules may be amended through a resolution adopting such a change by a majority vote of the entire Council.

Rule 37: Suspending Procedural Rules

Except as otherwise provided in rule 31 and 32 where a three-fourths (3/4) vote is necessary, these rules may be suspended by the City Council for the duration of consideration of a specific agenda item following a two-thirds (2/3) vote of the Council members present.

Part IX: Rules of Conduct and Decorum

Rule 38: Conduct and Decorum

The rules of conduct and decorum shall consist of the following:

1. While the Council is in session, all persons shall preserve the order and decorum of the session.
2. All persons must conduct themselves in a manner consistent with generally accepted standards of appropriate behavior. Any person making impertinent, slanderous or profane remarks, or who becomes boisterous while addressing the Council, shall be called to order by the presiding officer and, if such conduct continues, may, at the discretion of the presiding officer, be ordered barred from further audience before that session of the City Council.
3. All persons shall refrain from using audible electronic equipment, including cellular phones and pagers, in the Council chambers unless for emergency purposes. Recording devices shall be used in such a manner so as not to interfere with the vision or hearing of other persons at the meeting.
4. A person in the audience who engages in disorderly conduct such as hand clapping, stomping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful order of the presiding officer, shall, at the direction of the presiding officer, be removed from the Council chambers by a member of the police department.
5. Aisles shall be kept clear at all times. Members of the audience shall abide by the seating plan in the Council chambers.
6. No flags, posters, placards, or signs shall be carried or placed within the Council chambers unless authorized by the presiding officer. This restriction shall not apply to armbands, emblems, badges, or articles worn on personal clothing of individuals, provided that such devices are of a size and nature as not to interfere with the vision or hearing of other persons in attendance, and providing that such devices do not extend from the body in a manner likely to cause injury to another.
7. These rules shall not be construed to prevent news media representatives from performing their duties so long as the manner of performance is not unreasonably disruptive of the meeting.