



**Tuesday, October 11, 2022
6:00 P.M.**

Virtual via Zoom

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be streamed through a Live Zoom Video Webinar at: <https://bit.ly/BLT-10-11-2022>

The City is not responsible for any interrupted service.

Want to listen to the meeting and comment in real-time over the phone? Call: (669) 444-9171 and enter 845-7562-5587#

CALL TO ORDER

- Roll Call

AGENDA AMENDMENTS

MINUTES

1. Approve regular meeting minutes of September 13, 2022

MEETING OPEN TO THE PUBLIC

2. Public Comment from the audience regarding items not listed on the agenda. *Speakers are encouraged to limit comments to 3 minutes.*
3. Introductions/Awards/Recognitions/Presentations
 - Presentation by Katie Port : Meet the New library Staff

MATTERS BEFORE THE BOARD OF TRUSTEES

If necessary to assure completion of the following items, the Chairperson may establish time limits for the presentations by individual speakers.

4. Book Challenges: Principles of Intellectual Freedom Create a High Bar for Removal of Library Materials from the Public Library

BOARD REPORTS AND COMMENTS

5. Other brief reports on any meetings, conferences, and/or seminars attended by Board members.

STAFF REPORTS AND COMMENTS

6. Other brief program updates or reports on any meetings, conferences, and/or seminars attended by staff.

NEXT MEETING: November 8, 2022

ADJOURNMENT

Notice

Any records relating to an agenda item, received by a majority or more of the Board less than 72 hours before the meeting shall be available for inspection in the Library, 1100 E Street. Sign Language interpreters and assistive listening devices may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request. Public transportation is available through Golden Gate Transit, Line 22 or 23. Paratransit is available by calling Whistlestop. Wheels at (415) 454-0964. To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.



SAN RAFAEL
LIBRARY AND RECREATION

BOARD OF LIBRARY TRUSTEES

MINUTES

**San Rafael Library – 1100 E Street, San Rafael, CA
September 13, 2022 – 6:00 P.M.
Virtual Meeting Recording Link:
<https://www.youtube.com/watch?v=k5e4dhBVky4>**

CALL TO ORDER

Chair Duque Hughes called the meeting to order at 6:02 P.M.

Roll Call

Present: Trustee Andow
Trustee Cortes
Chair Duque Hughes
Trustee Vahdat (*confirmed presence at 6:06 during item 1*)

Absent: Trustee Lentini

Also Present: Henry Bankhead, Assistant Library & Recreation Director/City Librarian
Jinder Banwait, Administrative Analyst
Catherine Quffa, Library & Recreation Director
Jill Tokutomi, Supervising Librarian

AGENDA AMENDMENTS

None

MINUTES

1. Approve Regular Meeting Minutes of July 12, 2022

Trustees provided comments.

The minutes of July 12, 2022 were approved as submitted.

Trustee Andow moved, and Trustee Vahdat seconded to approve the minutes of the July 12, 2022 meeting.

Ayes: Trustees: Andow, Cortes, Vahdat, and Duque Hughes

Noes: Trustees: None

Absent: Trustees: Lentini
Abstain: Trustees: None

Minutes approved as submitted.

Chair Duque Hughes invited public comment; however, there was none.

MEETING OPEN TO THE PUBLIC

2. **Public Comment from the audience regarding items not listed on the agenda**
None
3. **Introductions/Awards/Recognitions/Presentations**
Presentation by Jill Tokutomi: Reading Buddies
Staff responded to questions from the Trustees.
Trustees provided comments.
Chair Duque Hughes invited public comment; however, there was none.

MATTERS BEFORE THE BOARD

4. **Prioritizing People: Prototyping Modern Library Services in the Downtown Carnegie Library**
Presentation by Henry Bankhead, Assistant Library & Recreation Director/City Librarian
Staff responded to questions from the Trustees.
Trustees provided comments.
Chair Duque Hughes invited public comment.
Speaker(s): "S" In response to "S"'s comments, Ms. Quffa said that the comments were good and explained that we are in the early planning stages of the project. Therefore, there is a lot to think about and that community engagement hasn't been planned, but that it would be important to have community engagement.

BOARD REPORTS AND COMMENTS

5. **Other brief reports on any meetings, conferences, and/or seminars attended by Board members.**
None

STAFF REPORTS AND COMMENTS

6. Other brief program updates or reports on any meetings, conferences, and/or seminars attended by staff

Presentation by Henry Bankhead, Assistant Library & Recreation Director/City Librarian and Catherine Quffa, Library & Recreation Director

Staff responded to questions from the Trustees.

Trustees provided comments.

Trustee Cortes requested that her disagreement with staff about the library budget no longer being presented to the Board of Library Trustees be included in the minutes. Trustee Cortes stated that though the Board does not approve the budget, the Board has looked at the budget for years and that there have been robust and interesting conversations. Which has allowed the Board to learn more about the library and thereby is more of a benefit than not.

Chair Duque Hughes invited public comment; however, there was none.

NEXT MEETING: October 11, 2022 (*correction note: September 13, 2022 meeting Agenda showed October 8, 2022 as the next meeting date*)

FUTURE AGENDA TOPICS

- None (*other than what is on the workplan*)

ADJOURNMENT

The meeting was adjourned at 7:41 P.M.



**October 11, 2022
Item #4**

TITLE: Book Challenges: Principles of Intellectual Freedom Create a High Bar for Removal of Library Materials from the Public Library

RECOMMENDATION:

That the Board receive the report and provide comment.

BACKGROUND:

The library is committed to recognizing diverse voices whether they be authors, illustrators, creators of color, members of the LGBTQ community, differently abled people, etc. and is working continually to address equity and inclusion in our practices and collections. Library materials must reflect the community served, as well as that of communities around us that are different than our own. Recently, there has been much national discussion of book banning, largely centered around school libraries. This report will present the concept of intellectual freedom, the process for challenging library materials, and review the elements of unprotected speech.

DISCUSSION:

The library respects the freedom of information for its users and adheres to the principles expressed in the American Library Association's Library Bill of Rights, as well as the Freedom to Read, and the Freedom to View statements.

The library's goal is to offer a diversity of ideas and opinions including those which may be unorthodox or controversial. The library opposes any attempts by individuals or groups to censor items in its collection. Responsibility for the reading choices of minors rests with their parents or legal guardians. Selection of adult material will not be restricted by the possibility that these items may come into the possession of children, nor does the library use any system of coding, rating, or labeling to identify or segregate materials for purposes of censorship.

Formal Challenge Procedure

Any individual expressing an objection to or a concern about library materials will receive respectful attention from the staff member first approached. The staff member will offer the individual: the opportunity to speak with the Assistant Director of Library and Recreation / City Librarian ("City Librarian") about their concerns and/or the

opportunity to fill out a Request for Reconsideration form which is available in the library and can be found on the library's website.

Free Speech

The principles of free speech, intellectual freedom, and the Library Bill of Rights create a high bar for an item to be removed from the library's collection. *Terminiello v. Chicago* :: 337 U.S. 1 (1949) tells us that:

“Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech, though not absolute, is nevertheless protected against censorship or punishment, unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest.”

In the context of the public library, the concept of speech is seen to be synonymous with written speech, i.e. books and other media items, and is protected in the same way that speech is protected. Unprotected Speech: Incitement, True Threats, Fighting Words, Obscenity, Defamation, Harassment, Indecent Speech, and Hate Speech almost never become a legal issue with library materials given the nature of publishing and media distribution in public libraries in the United States, which would tend to winnow out these most egregious materials. Instead, groups with political power: school boards, city governments, and state governors, for example, are inciting fears about the content in books with which they disagree in order to further a political agenda. These objections then are actualized through processes outside of free speech protections to remove books from public libraries.

In a recent ALA press release, ALA President Lessa Kanani'opua Pelayo-Lozada shared that:

“The unprecedented number of challenges we're seeing already this year reflects coordinated, national efforts to silence marginalized or historically underrepresented voices and deprive all of us – young people, in particular – of the chance to explore a world beyond the confines of personal experience.

Efforts to censor entire categories of books reflecting certain voices and views shows that the moral panic isn't about kids: it's about politics. Organizations with a political agenda are spreading lists of books they don't like.”

As part of the Collection Development Policy of the San Rafael Public Library, the process for addressing book challenges is clearly articulated. Unless an item were to be proved to be unprotected by the First Amendment, it would be unlikely that such an item would be removed from the library collection.

Regardless of these guardrails, books are being censored in the United States today, but not usually by a direct process. When the library in Jamestown, Michigan refused to remove 90 books with LGBTQ themes from its shelves, the city voted to defund the entire library, potentially removing access to the entire collection of 67,000 items for the entire community.

Informal Challenges

As distinct from formal challenges, informal challenges are much more common. These challenges usually take the form of an email questioning the content of certain books or media. They can also consist of objections to certain programs. For example, when the San Rafael Public Library first offered Drag Queen Story Time, now called just Drag Storytime, we had a few emails from the public expressing concern about the program. These concerns were escalated to the City Manager and the Mayor who expressed complete support for the program. Informal challenges are usually dealt with on a case-by-case basis. Ultimately concerns about the books and programs provided by the public library could be addressed to and would be the purview of the San Rafael City Council.

FISCAL IMPACT:

There is no financial impact associated with review of this report.

Submitted by:



Henry Bankhead
Assistant Library & Recreation Director / City Librarian

Attachments

1. San Rafael Public Library Collection Development Policy



INTRODUCTION

The collection development policy upholds the City of San Rafael Public Library (Library) mission to *engage, empower, and enrich our community through innovation, imagination, and inspiration.*

This policy directs Library staff in the maintenance and development of collections. The policy also defines collection development practices, and provides continuity to selection, purchasing, and retention decisions. Additionally, the policy provides a vehicle for the continuous evaluation of the Library's collection as a whole.

As part of strategic planning, the Collection Development Policy will be reviewed annually to ensure it is a living document that addresses up to date collection concerns. Ultimate responsibility for collection development rests with the Library & Recreation Assistant Director (City Librarian). The City Librarian delegates the authority for selection to the Collection Development Supervising Librarian, who may designate additional professional staff to assist in the selection of materials.

The Library consists of one large library in the center of San Rafael, the Downtown Library, and two smaller branches, the Pickleweed Library in the Canal neighborhood, and Northgate Library in the north San Rafael area.

Representation: The Library is committed to recognizing diverse voices (authors/illustrators/creators of color, LGBTQ, disabled, etc.) and is working continually to address equity and inclusion in our practices and collections. Library materials need to reflect the community served, as well as that of communities around us and different than our own.

Library Collections: Library collections consist of popular titles as well as materials to support the interests of the communities they serve. Branch collections vary in size and scope depending on community needs and space limitations. The collections support the interests and needs of people of all ages, starting with early literacy and including children, teens, and adults. The Downtown location has an additional local history collection called the California Collection, curated of local historical interest, non-circulating materials that are made available by appointment for research purposes.

Formats: The Library purchases materials in both digital and hard copy/physical formats. These materials have separate considerations for inclusion in the Library's collection.

- eResources / Digital Resources
 - The Library, as a member of MARINet, has access to eBooks, eAudiobooks, online learning tools, newspapers, and more through the consortium website. The Library assists with selecting these various resources, along with other member libraries
 - Digital resources that the Library selects independently from MARINet are subject to the same general selection criteria as other materials. Platforms and individual titles should follow these selection criteria, while also being sensitive to the representation, languages, and accessibility needs by Library users

- The Library's customer base includes a segment that may be exclusively virtual. Digital resources extend the reach of the Library because they are available remotely, 24/7. The eBook landscape is an area of rapid growth and development, and the San Rafael Public Library is moving toward an eResource collection that is as diverse and encompassing as the print collection - cost permitting. Additional selection criteria for digital resources include accessibility and compatibility; for example, universality of format and compatibility with current digital platforms and popular customer devices
- Physical items
 - The Library prefers to purchase physical books in hardback or library binding format; however, purchases of paperback copies are made when there is a high demand for a particular title
 - Other media (including audio/visual items like DVDs, Blu-ray discs, CDs, as well as other formats) may be added to the collection depending on demand. Electronic devices (like hotspots, Chromebooks, Playaways, etc.) may be added to the collection as a trial with usage evaluated to determine continuation of various collections
 - The range of materials available to patrons is not limited to the holdings of the San Rafael Public Library, but extend to items available in other MARINet libraries, as well as through the LinkPlus system

Languages: Most of the Library's collections are in English. The Library also offers Spanish language materials for adults and children. The Library may also collect materials in other languages as needed. Language learning resources are available in many languages. Access to materials in languages other than English and Spanish may be available from other MARINet and LinkPlus libraries. Language collections continue to diversify and evolve to reflect the changing needs and interests of the community.

Selection Criteria: The following criteria are used to evaluate and select items for the collection. An item need not meet all of these criteria to be selected.

- Current and anticipated needs and interests of the public
- Evaluations in review media
- Accuracy and timeliness of content
- Author's, artist's, or publisher's qualifications and/or reputation
- Contribution to diversity or breadth of collections
- Presentation of unique or controversial points of view
- Receipt of or nominations for major awards or prizes
- Physical quality of material
- Budgetary and space constraints

Deselection and Replacements: Deselection of material from the circulating collections is a vital part of successful collection maintenance. Continuous evaluation is necessary, and materials are regularly removed to maintain a current, accurate, and appealing collection and to facilitate its ease of use.

Library materials are discarded for one or more of the following reasons:

- Subject matter is no longer timely, accurate, or relevant
- Damage or poor condition
- Space limitations/duplicate resources

- Insufficient use
- Materials in the format are no longer collected

Replacement of materials withdrawn is not automatic. The decision to replace is influenced by:

- Availability of copies in the system
- Popular interest
- Adequacy of coverage in the subject area
- Significance in subject area
- Cost

Books that are out of print will not be replaced. The Library does not purchase used books.

Deselected items may be offered to other libraries, public agencies, non-profits, or disposed of through recycling. Discarded items will not be held for or given to individuals.

Intellectual Freedom: The Library respects the freedom of information for its users and adheres to the principles expressed in the American Library Association's Library Bill of Rights, the Freedom to Read, and the Freedom to View statements. The Library's goal is to offer a diversity of ideas and opinions including those which may be unorthodox or controversial. The Library opposes any attempts by individuals or groups to censor items in its collection. Responsibility for the reading choices of minors rests with their parents or legal guardians. Selection of adult material will not be restricted by the possibility that these items may come into the possession of children nor does the Library use any system of coding, rating or labeling to identify or segregate materials for purposes of censorship. Challenges regarding Library materials are handled in accordance with the Library's *Requests for Reconsideration Procedure* (see appendix A.)

See Appendix A: *Reconsideration of Materials*

See Appendix B: *Request for Removal or Reconsideration of Library Material Form*

Appendix A: Reconsideration of Materials Procedure

- 1) Any individual expressing an objection to or a concern about library materials will receive respectful attention from the staff member first approached. The staff member will offer the individual:
 - a) To speak with the Assistant Director of Library and Recreation / City Librarian (“City Librarian”) about their concerns
 - and/or
 - b) To fill out a “Request for Reconsideration” form which is available in the Library and can be found on the Library’s website
- 2) A copy of the form and the material in question will be sent to the City Librarian
- 3) A form letter shall be sent to the patron acknowledging receipt of the Request for Reconsideration within five business days of receipt by the City Librarian
- 4) A team of library staff, headed by the Collection Development Supervising Librarian, will convene and consider the request, evaluating the material based on circulation, awards and reviews, etc. This group will recommend a decision about the work to the City Librarian
- 5) The Supervising Librarian overseeing collections will write a response letter to the patron and submit it to the City Librarian for review
- 6) A letter of determination in response to the Request for Reconsideration shall be provided to the patron within 30 days of submission, during which time the material in question shall remain in the active collection
- 7) A copy of all Requests for Reconsideration, and associated correspondence, shall be retained in Library by the City Librarian following the City’s record retention policy.

Appendix B: Request for Removal or Reconsideration of Library Material Form

Name _____ Date _____

Street _____

City _____ Zip _____ State _____

Email: _____ Phone _____

Organization you are representing (if applicable): _____

Type of material on which you are commenting:

- Audio/video (DVD, CD, etc.)
- Book
- Magazine or journal
- Newspaper
- Digital resource / eBook, etc.
- Other (specify): _____

Title: _____ Author: _____

Publisher/Producer (if known): _____ Publication Date (if known): _____

Use other side of form, if necessary, to complete the following questions:

1. Please state the reason(s) for your concern. Please be specific and give page numbers if applicable.

2. Do you have suggestions for resources, materials, or programs that the library could provide as additional information on this topic?

STAFF USE ONLY	
Received by:	Date: