

ST TAMMANY PARISH LIBRARY BOARD OF CONTROL (LBOC)
RULES AND REGULATIONS SECTION 407-
STATEMENTS OF CONCERN ABOUT LIBRARY RESOURCES (SOC)

SUGGESTIONS FOR POLICY CHANGES

Suggestions taken from Library Board of Control members, the general public, and staff

A. General

The choice of library materials by users is an individual matter. Responsibility for the use of library materials by children rests with their parents or legal guardians. While a person may reject material for themselves and for their children, an individual may not exercise censorship to restrict the freedom of others to read, see, or hear. No one, least of all the public library, has the right to judge what another may read, view, or hear.

Add "minor" before children.
A resource cannot be subject to a statement of concern if it is only available digitally to download or stream and categorized as Adult and only available to Adult, Juvenile, and Juvenile Unrestricted cards.
Religious beliefs should not be a valid reason for a complaint.
Average cost of STPL to process a SOC should be included in policy and on form.
Each complainant may submit only one SOC at a time and cannot submit another until the first SOC is resolved.
A complainant may only submit one SOC per year.
A complainant may only submit five SOC per year.
A registered patron may submit a maximum of 3 statements per month.
Implement financial penalties for over submitting claims.
Throw out all existing SOC and let the current complainants know they can resubmit under the new rules.

B. Process

1. Any person residing in St. Tammany Parish and wishing to express concerns about library materials, programs, or displays shall complete a "Statement of Concern About Library Resources" form. The Statement of Concern form shall be available at the library circulation desk, the library's website, by email request, and at all Library Board of Control meetings. All completed Statement of Concern Forms will be forwarded to the Library Director and to each member of the Library Board of Control. Upon receipt of the Statement of Concern Form the Director will confirm receipt in writing to the complainant(s).

One SOC triggers an internal review process (just to make sure it hasn't been put in the wrong location)

Two or more SOCs trigger a full review of the item.

Five or more SOCs trigger a full review of the item.

Between 10-20 SOCs trigger a full review of the item.

Concerns must be filed in the same month.

Only residents of STP can submit a SOC. SB7 provides for this.

Only library card holders may submit a SOC.

Organizations cannot submit a SOC, only individuals.

Remove email/electronic submission of challenge form option and require submission in person.

SOC form should be available in paper form only and only submitted on a paper form in person or by mail.

SOC form is available in paper form and as a printable PDF on website but cannot be filled out online. Must be submitted in paper form in person or by mail.

If policy requires that a paper form be submitted in person at a library branch, it should be submitted to a manager or librarian not just a circulation staff member at the front desk.

Assign a staff member to chat with the complainant so that the complainant understands how libraries work with respect to material some patrons may not like.

If obscenity statute is given as reason for complaint, refer to the Louisiana Attorney General's office.

If obscenity statute is given as reason for complaint, will not be considered as the AG has already stated that materials in public library do not meet criteria of obscenity law, asking to consider not following through with reconsideration

Include Resolution from December 13, 2022, to place items under SOC behind the circulation desk, into policy. Policy should include that there is to be a uniform location for challenged books behind the desk for transparency and consistency.

Policy should include placing “pull covers” on the shelf with information about the materials for spontaneous discovery by patrons.

Repeal the December 13 resolution and leave a challenged book on the shelf unless and until the internal committee (or the board on appeal) decides to do something else with it.

We should display a poster at each branch’s circulation desk listing the challenged titles that branch has behind its desk. This does two things: It accomplishes transparency by letting the public know what is going on, and it somewhat “destigmatizes” those books. To enlarge on this idea, we could display a poster at each branch’s circulation desk of all challenged books, to make the extent and effect of the challenge process clear.

If a book or material was obtained via a patron request, that patron is notified of the complaint and is offered an opportunity to defend the book.

Any fraudulent complaints will not be considered.

Complainant must have SOC notarized.

Complainant makes attestation on SOC form by signing statement: “I have reviewed this material in its entirety. All points of contention are my own words and work.”

Complainant must attest in front of a librarian in writing that they a) read the book in its entirety and b) wrote their concerns in their own words.

“Cutting and Pasting” and copying passages verbatim from a website or other source will not be accepted as a response for any of the questions on the SOC form.

Use tool to scan for verbatim copying of text from Internet or other document.

Include question(s) about the book, for example: who is the main character, what is the plot, what is the first sentence from the 5th to last page.

Implement a financial cost to file more than 2 statements of concern in one year. If the board rules to remove the book from the library they have the authority to refund the cost back to the complainant.

Implement a \$25 SOC fee to help defray the cost of processing it and to act as a deterrent against a single person or small group of people lodging multiple complaints when they have no personal involvement with the book.

Cannot require payment for statement submission – essentially removes someone’s voice based upon their ability to pay.

Have the complainant list the page number and specific language quote from the book being discussed on the SOC form, and not just list "pornography".

Change for question #4 to “What brought this ~~title~~ **RESOURCE** to your attention?”

Change for question #7, sentence “~~Consider commenting~~ **PLEASE COMMENT** on the resource as a whole, as well as being specific on the matters which concern you.”

If there are errors on the Statements of Concern, the Statement would be rejected with a simple explanation that the form contains errors. If the form is received by the library in person or by mail, it would be rejected by mail. If received electronically, it would be rejected electronically. Until a form with correct information is received the book would not be reviewed.

A SOC will be automatically rejected, without review, that references page numbers and/or text that is not actually contained in the book. The SOC form should clearly spell this out.

Make in globo decision on groups of SOC and books that are similar in nature. For example, can we reject, as a group, all SOCs that claim only that a book violates RS 14.91.11 when the book clearly doesn’t meet all four criteria our legal counsel has said must be applied?

2. The Director will select two or more staff members to serve on an internal committee to review each Statement of Concern and the subject of the concern. Committee members will be chosen by the Director based on the type of material under review and taking into consideration the staff member's education and experience. A recommendation regarding which action to be taken, if any, will be made by the committee within 45 days of the Director receiving the Statement of Concern Form, unless a longer period is authorized by the Library Board of Control, in which case the complainant(s) shall receive notice.

Have members of the public be part of the committee for the initial reconsideration and recommendation process.

Library system in Oklahoma has members of the Friends group serve on reconsideration committees.

Return to an internal committee that decides on the disposition of a challenged resource and only require the board to act if the decision is appealed. Transparency concerns can be addressed by making the committee reports and decisions publicly available on our website.

The reconsideration committee makes the decision. Have a public meeting to hear report and recommendation. Complainant can appeal to LBOC.

An alternative system would be to have them show up to a board meeting prior to staff reviewing at all. Require the complainant to stand up during a meeting and explain what concerns they have. Then the board can make a decision if the claim is legitimate. If it's a real concern the regular process can start.

3. The committee members shall:

a. Review the material in its entirety

b. Create and consider a resume of the material which can include:

- A brief synopsis
- Reviews in standard evaluation guides
- Topical information concerning the material
- Circulation information
- Information about holdings in other public libraries
- Awards received
- Biographical information about the author/producer
- Library of Congress Subject Headings

c. Consider the suitability for age level of current placement

d. Consider present and potential relevance to community needs

e. Conduct a discussion to reach a recommendation

f. Submit a written report to the Director with recommendations based on the result of the committee's efforts.

Under b. Add:

- Publisher, vendor, and/or reviewer audience recommendations
- Indication that purchase was made per patron request, if that information is available

4. The complainant(s) shall be notified of the date of the Library Board of Control meeting at which the committee's report and recommendation will be on the agenda. A copy of the correspondence to the complainant(s) shall be forwarded to each member of the Library Board of Control.

No recommendations

5. The Director will present the committee's recommendation to the Library Board of Control at a properly noticed Board meeting report.

Complaint is dismissed if the complainant does not attend or send someone in their place to state objection in person and to answer questions (concerning unclear language, etc.) at LBOC hearing.

If speaking, people should show a driver's license or ID and a Library card to the clerk to prove Parish residency and Library card.

6. The complainant(s) will have five minutes to address their concern to the Library Board of Control prior to any action taken by the Board. In lieu of addressing the Board in person at the meeting, the complainant(s) may submit a written statement to the Board. A period of public comment will precede any action taken by the Board.

Remove the complainant's five minute speaking time at the LBOC meeting; just leave paragraph 6 as "A period of public comment will precede any action taken by the Board."

7. The Library Board of Control shall vote to affirm, modify, reject, or take under advisement the committee's recommendation. Matters taken under advisement shall be renoticed for a future meeting. Upon modification or rejection of the recommendation of the committee, the Board shall make a decision on what action will be taken in response to the Statement of Concern. The decision of the Board shall be rendered by a majority vote. In the event there is a tie, the recommendation is affirmed.

No recommendations

8. The complainant(s) will be notified in writing of the decision of the Library Board of Control.

No recommendations

NEW SECTION

9. The decision on a Statement of Concern about specific materials, programs, or displays will remain in effect for five years. Within this five-year period complainants submitting a new Statement of Concern on a decided title, program, or display shall receive a copy of the Board's current decision.

If decisions are effective for five years, apply retroactively from July 2022.