

# Library Materials Challenge Policy

Hastings Public Library materials are selected through the process described in the Library's Collection Development Policy. The Library acknowledges that occasionally patrons may have complaints or concerns about individual materials or categories of materials in the Library's collection.

Patrons who object to the presence of certain materials in the collection may submit a Challenge of Library Materials Form to the Library Director. Forms can be obtained at the Library or from the library's website.

This Library Materials Challenge Policy defends the freedom to read, view, and hear. No material shall be removed from the collection except under the procedure given here.

## Initiating a Challenge

For a challenge to be considered:

- (1) The complainant must be properly identified on the Challenge of Library Materials Form,
- (2) The complainant must be a resident of the Library's chartered jurisdiction and hold a valid borrower's card, and
- (3) The form must be completed in full.

No action shall be taken before the challenge is brought to the Director. Challenged material shall not be removed until a final decision is made by the Director or the Board of Trustees ("Board") as necessary.

The Library will not consider the removal of an item on grounds of obscenity or for any other reason covered by law unless a court of competent jurisdiction has ruled against it. An item will be considered for removal only once in a twelve-month period.

## The Challenged Material Review Process

Once a Challenge of Library Materials Form is received, the Director will:

- Read, listen to, or view the material in its entirety,
- Consider the specific objections voiced by the complainant,
- Weigh the values and faults of the challenged material as a whole in itself and in relation to the collection,
- Consider what literary critics and reviewers think of the material,
- Consider the challenged material in relation to the Collection Development Policy.

The Director will respond to the complainant in writing within thirty (30) days of receipt of their form. If the complainant or other patron has the material in question checked out, the Director will not begin the evaluation process until the material is returned and available for review. The thirty (30) day response window will then begin at that point.

The Director's response will include their decision and recommended action regarding the challenged material, along with information on how to appeal the decision to the Board, if desired. The Director may:

- Retain the challenged material in the collection,
- Retain the challenged material, but move it to another location,
- Withdraw the challenged material.

## Appealing to the Library Board

If the complainant wishes to appeal the Director's decision to the Board, they shall write to the Board President, in care of the Library, including a copy of the original Challenge of Library Materials Form, and an explanation as to why they feel the Director's response is not adequate.

If the complaint is received at least ten (10) days prior to the next regularly scheduled board meeting, discussion on the complaint will be added to that meeting's agenda. If the complaint is not received in time, the Board may defer discussion to the following regularly scheduled meeting. The Board President will inform the complainant in writing as to the date, time and place of the meeting where the matter will be discussed.

## Library Board Challenged Materials Review Process

Once a Challenged Material discussion is on the agenda, the Board shall decide by a majority vote of the members present, whether it wishes to further consider the challenge. If the Board votes to consider the matter further, an ad hoc review panel will be selected by the Board President to evaluate the challenged material, and the matter will be placed on the agenda for a regular meeting within sixty (60) days for a final Board vote.

If the Board does not vote to consider the request further, the matter is closed.

### Ad Hoc Review Panel

The ad hoc review panel is composed of at least three members of the Library's Board of Trustees. Members of the review panel will individually:

- Read, listen to, or view the material in its entirety,
- Consider the specific objections voiced by the complainant,
- Weigh the values and faults of the challenged material as a whole in itself and in relation to the collection,

- Consider what literary critics and reviewers think of the material,
- Consider the challenged material in relation to the Collection Development Policy.

After coming to individual conclusions, the committee will meet to discuss the material and recommend one of several actions to the Director and the full Board, with reference to the fundamental principles of intellectual freedom:

- Retain the challenged material in the collection,
- Retain the challenged material, but move it to another location,
- Withdraw the challenged material.

At a scheduled regular meeting of the Board of Trustees within sixty (60) days of agreeing to review the complaint, the ad hoc review panel will present their recommendation to the Board for consideration. The Board President will inform the complainant in writing as to the date, time and place of the meeting where the matter will be decided. At this meeting:

- The Board of Trustees shall vote on the disposition of the challenged material.
- A consensus vote of the Board members present equal to or greater than a full Board majority is required to remove materials from the Library's collection, to move materials from one location to another, or to otherwise restrict access to materials.
  - For example, if the board consists of nine (9) members and seven (7) are at the meeting to vote, if five (5) vote yes/no and two (2) vote no/yes, the five (5) represents a majority of the full Board and the vote is valid.
  - If the vote was four (4) to three (3), the vote is not valid as absent Board members could still impact the outcome.
- If the full Board is not able to attend the meeting and/or a majority consensus vote cannot be obtained, the vote will be delayed to the next meeting and the complainant notified.

The decision of the Board of Trustees is final. Whatever the decision, the principles of the Library Bill of Rights will be reiterated, as well as how the decision is in accordance with those principles.

## Challenge of Library Materials Form

Name of Complainant: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Do you have an active Hastings Public Library Card? Yes / No

Have you read Hastings Public Library's Collection Development Policy? Yes / No

Have you read Hastings Public Library's Library Materials Challenge Policy? Yes / No

Are you making this challenge as:  an individual, or  the representative of an organization

If you are speaking on behalf of an organization, give the name and address of the organization:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What type of item are you challenging? (Please fill out a separate form for each item challenged)

Book  Audiobook  Video  Magazine  Newspaper  Other: \_\_\_\_\_

Is the item:  physically at the Library, or  in electronic/digital form

If electronic, which service is it on (i.e. Hoopla, Libby, etc.): \_\_\_\_\_

Was this material required by a class, for work or other such activity? Yes / No

Title of Item: \_\_\_\_\_

Publisher/Distributor: \_\_\_\_\_ Date of Publication or Release: \_\_\_\_\_

Author (if applicable): \_\_\_\_\_

What brought this item to your attention? \_\_\_\_\_



# HASTINGS PUBLIC LIBRARY

Explore • Imagine • Grow

Is your objection to this item based upon your own exposure and reaction to it, upon complaints about it made directly to you by others, or upon reports you have heard about it?

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Have you read, viewed, or listened to this item in its entirety? Yes / No

If not, what portion have you read, viewed, or listened to? (List portions by page number(s), time into video, or other identification)

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To what specific aspects of the item do you object? Cite specific pages, passages, or scenes. Can you suggest any materials to provide additional information or other viewpoints on this topic? Attach additional pages if necessary.

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What harmful effect do you feel might be/were the result of reading/viewing/listening to this item?

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Do you believe this item serves any of the following purposes?

- Promotes understanding of other cultures or lifestyles? Yes / No
- Promotes discussion of societal issues? Yes / No

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Signature of Complainant

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Date