



President: Tabitha Slaughter (2029)
Vice-President: Shannon McClintock Miller (2025)
Secretary: Lisa Oelke (2029)
Member: Natasha Watson (2029)
Member: Andrew Kendall (2028)

Van Meter Public Library Board of Trustees Regular
Board Meeting
October 18th, 2023 6:00 PM
Van Meter Public Library (505 Grant Street)

Our Mission: The mission of the Van Meter Public Library
is to provide materials and services that support and
encourage lifelong learning and love of literature.

Schedule

1. Call to Order
 2. Roll Call
 3. Approval of the Agenda
 4. Consent Agenda
 - A. Minutes of September 20th Meeting
 - B. September Financials
 - C. September Claims
 5. Emma's review and possible raise
 6. Discussion and vote on change of library board meeting dates
 7. Change open hours for Sips & Snacks
 8. Discuss procedure for closing library during illness with no back up
 9. Discussion of new Collection Development Policy
 10. Discussion and review of Mission & Values Policy
 11. Review and discuss Chapter 13 of the Trustee's Handbook
 12. Continue discussion of FY25 Budget
 13. Reports
 - A. Director's Report
 - B. President's Report
 14. Adjourn
- October 18, 2023 Chapter Thirteen Trustee Handbook
Review Mission & Values Policy
Continue Discussion of FY25 Budget
- November 13, 2023 Chapter Fourteen Trustee Handbook
Review Circulation Policy
Review First Draft of FY25 Budget
- December 13, 2023 (moved to second Wednesday)
Chapter Fifteen Trustee Handbook
Approve FY25 Budget (submit to Council by Jan. 10)
Board Self-Assessment

Van Meter Public Library

9/20/2023 Board Meeting Minutes

On September 20th 2023, the Van Meter Public Library Board met at the Van Meter Public Library.

Guests: Maryann Mori, State Library District Consultant;

The meeting was called to order at 5:38 pm by President Slaughter.

In attendance were Kendall, Backstrom, Oelke and Slaughter. Jonatha Basye and Natasha Watson were also in attendance.

President Slaughter asked for an approval for the agenda, motioned by Backstrom, seconded by Kendall. Passed unanimously.

Trustee Training by Maryann Mori.

President Slaughter asked for consent. Backstrom motioned for corrections to the consent agenda from last month. Kendall seconds. Passed unanimously.

Discussions:

Consent Collection Development Policy - Basye concern on request for reconsideration policy. She asked for an update to the policy to formalize the policy similar to other area libraries. Basye will provide a recommended policy next month.

Launch Pad Wonderbook Program - Basye would like to budget more money in the future for this program in the future. This would come out of the technology budget.

Hoopla - Basye indicated that Libby wait times are becoming excessive. Hoopla is another digital application with more features. Combining this with Libby will greatly reduce wait times. Hoopla could start at \$1000. There are more options using both. This would also need to come out of the technology budget.

Library Foundation Account - Basye spoke with the city council. We need the foundation dissolved or have the foundation reestablished with a president. If dissolved, there are specific requirements that have to be met including members of the original foundation board to decide some of who no longer live in Van Meter. Need a quorum of the Library Foundation to meet.

Trustee Handbook Review Chapter 12

Discussion FY25 Budget - Basye would like more funds for training. Would help with accreditation standards. Technology would need more funds for new technology. Increases in Library Materials for books. Operating and Maintenance increases to cover operating

costs. Programming budget increases would help with the summer reading program. Requested budget increases for the library staff pay.

Director's Report: Relax and Read had a good start. 7 participants the first time. Story Time had one in the morning and three in the afternoon. Started outreach last week. New book vendor is going great. Would like to have a book club and craft and chat. Needs signage but would need funds to make it easier to find book groups. Has a list of items to update or replace. Received certificate of accreditation. Has received Gold Level certification for herself.

Action Items: Natasha requested board review when the library trustee meetings are held. Will be added to the agenda next month.

Having no further business, Slaughter asked for a motion to adjourn. Backstrom motioned, Kendall seconded. Passed unanimously. Adjourned at 7:19pm.

The next meeting will take place at the Van Meter Public Library on Wednesday, October 18th at 6:00pm.

CLAIMS PAY REQUEST

CITY OF VAN METER

PAYABLE TO:

Anderson Service Co.

MAILING ADDRESS:

1999 290th Street

Stanhope, IA 50246

DATE OF INVOICE:

09/22/2023

AMOUNT:

\$ 374.00

VENDOR #:

FOR OFFICE USE ONLY:

PURCHASE DESCRIPTION:

Draft Motor and Filters for HVAC unit

PURCHASE ORDER #:

INVOICE #:

ACCOUNT CODE #:

182-410-6311

\$ 374.00

\$

SIGNATURE:

Jonatha J Basye

Digitally signed by Jonatha J Basye
Date: 2023.09.25 12:24:58 -05'00'

JOB INVOICE

CLAIMS PAY REQUEST

CITY OF VAN METER

PAYABLE TO:

Culligan Water Adel

MAILING ADDRESS:

518 Greene St.

Adel, IA 50003-1811

DATE OF INVOICE:

09/30/2023

AMOUNT:

\$ 22.37

VENDOR #:

FOR OFFICE USE ONLY:

PURCHASE DESCRIPTION:

Acct #752089

Cooler Rental; Water Delivery

PURCHASE ORDER #:

INVOICE #:

ACCOUNT CODE #:

182-410-6499

\$ 22.37

\$

SIGNATURE:

Jonatha J Basye

Digitally signed by Jonatha J Basye
Date: 2023.10.03 09:15:00 -05'00'



of Adel

518 GREENE STREET
ADEL, IA 50003
(515) 993-4203 (800) 747-4203
adel@culliganIowa.com
www.CulliganIowa.com

IF PAYING BY CREDIT CARD, PLEASE FILL OUT BELOW				
<input type="checkbox"/> VISA	<input type="checkbox"/> MasterCard	<input type="checkbox"/> American Express	<input type="checkbox"/> Discover	<input type="checkbox"/> PLEASE CHECK BOX TO ENROLL IN AUTOMATIC BILL PAYMENT
CARD NUMBER			V. CODE	
SIGNATURE			EX P. DATE	
DATE	PAY THIS AMOUNT	ACCOUNT NUMBER		
09/30/2023	\$22.37	752089		
PAY BY DATE: OCT 22			AMOUNT PAID \$	

ADDRESSEE:

VAN METER PUBLIC LIBRARY
ATT DIRECTOR
505 GRANT ST
VAN METER IA 50261

REMIT PAYMENT TO:

CULLIGAN WATER ADEL
518 GREENE ST
ADEL, IA 50003-1811

BALANCE FORWARD

RETURN THIS TOP PORTION WITH YOUR PAYMENT

BRANCH ID: CA-01

CUSTOMER: VAN METER PUBLIC LIBRARY

				PREVIOUS BALANCE:	\$89.16
DATE	QUANTITY	DESCRIPTION	REF	AMOUNT	BALANCE
09/13/2023	2.00	5 GAL BOTTLE WATER DELIVER	800094475	15.80	104.96
09/13/2023		FLAT CUPS	800094475	0.00	104.96
09/13/2023	1.00	DELIVERY CHARGE	800094475	2.10	107.06
09/21/2023	-1.00	PAYMENT	032100	-89.16	17.90
09/21/2023	-1.00	PAYMENT	032100	-4.54	13.36
09/30/2023	1.00	COOLER RENTAL		9.01	22.37
Service 10/01-10/31					
You may notice some small increases on certain products. Rental rates will not change at this time. Thank you for your continued business.				Balance Due	\$22.37
ACCOUNTS ARE SUBJECT TO A LATE PAYMENT FINANCE CHARGE					
FINANCE CHARGE SCHEDULE				PLEASE PAY NEW BALANCE BEFORE	
OVER	PERIOD RATE	ANNUAL RATE		OCT 22	
\$ 5	1.50 %	18.00 %			
TO 5	0.00 %	0.00 %	MIN CHARGE 5.00		
0-30	31-60	61-90	Over 90	Next Deliveries: 10/09/23 11/06/23 12/06/23 01/05/24	
22.37	0.00	0.00	0.00		
CULLIGAN WATER ADEL 518 GREENE STREET ADEL, IA 50003 (515) 993-4203 (800) 747-4203 SERVICE ADDRESS:					
VAN METER PUBLIC LIBRARY ATT DIRECTOR 505 GRANT ST VAN METER IA 50261				CLOSING DATE	ACCOUNT NUMBER
				09/30/2023	752089
				NAME	
				VAN METER PUBLIC LIBRARY	

Library Clerk Evaluation

Emma Backstrom

09/28/2023

- Appreciate willingness to cover hours when other staff members are ill, on vacation, conducting outreach, etc.
- Prompt when responding to texts, emails, calls, etc.
- Courteous and professional when dealing with staff and patrons.
- Make sure to utilize time clock correctly; clocking out when job is completed.
- Take more initiative when cleaning library space; if trash cans are full, replace bags, clean all hard surfaces, vacuum every night, make sure toilets and sinks are clean; director should not have to provide a list every night of tasks needing to be completed.
- Make sure time allotted for cleaning is used for that and not personal pursuits.

If improvement in the areas listed above occurs within 30 days, clerk will receive a \$0.50 increase in pay.

Date 09/28/2023

Signature of Employee Emma Backstrom

Signature of Employer Jonathan Beryl

6. Discussion and vote on change of library board meeting dates.

Would like to move them to second Wednesday instead of third Wednesday. This will also make it right after city council meets for the month.

7. Change open hours for Holidays are Sweeter in Van Meter, December 1st-2nd.

Open hours would be from 12-8pm on December 1st and 12-5pm on December 2nd to accommodate activities for Holidays are Sweeter in Van Meter.

8. Procedure for closing library when director is ill and no backup available.

Since this just happened, I wanted to make sure that it was agreed upon by the board. There was one day last week where I was ill and no one to cover. I let Tabitha know immediately, then city hall, posted signs on the library door, and posted on the library Facebook page.

Collection Development Policy



Van Meter Public Library
505 Grant Street, PO Box 160
Van Meter, IA 50261
(515) 996-2435

Purpose

The purpose of this policy is to provide guidelines for the selection of materials and to inform the public about the principles upon which selections are made.

Objectives

The Van Meter Public Library acquires, organizes, makes available, and encourages the use of all media, print, and non-print that:

- Contribute to the individual's awareness of self, community, and society while providing insight into a wide range of human and social conditions and various cultural heritages.
- Meet the informational and recreational needs of the entire community.
- Stimulate thoughtful participation in the affairs of the community, the state, the nation, and the world.
- Give free access to a variety of opinions and ideas.
- Assist individuals to grow intellectually and culturally.

Responsibility for Selection of Materials

The selection of materials for the collection is the responsibility of the Director and is done so within the framework of the policies determined by the Board of Trustees. The Director may delegate selection of

certain materials to a qualified selector(s) in an area of the collection for which they acquire and withdraw materials. The Library welcomes suggestions for selection from staff, Board, and community members, but the final decision for inclusion in the collection rests with the Director.

Criteria for Selection

Each type of material must be considered in terms of its own merit and the audience for whom it is intended. No single standard can be applied in all cases. The following criteria shall be used as guidelines in the selection process. The following list is not ordered by importance. An item need not meet all the criteria to be acceptable.

- Reviews in professionally recognized sources
- Inclusion in standard bibliographies, awards lists, or bestseller lists
- Reputation or qualifications of author, publisher, or another contributor
- Accuracy, authority, and objectivity
- Breadth and depth of coverage
- Currency of information
- Artistic presentation
- Vitality and originality
- Popular appeal and demand
- Local significance
- Availability of material in other libraries
- Relevance to community needs and interests
- Relationship to existing materials in collection
- Relationship to materials available elsewhere
- Representation of important movement, genre, trend, or national culture
- Unique or controversial point of view

- Importance as a document of the times
- Permanent value as source material or interpretation
- Price
- Space available on library shelves
- Availability of material in print or other formats
- Suitability of physical form for library use
- Appropriateness of form, subject, and style for intended audience

These specific factors do not and will not apply to every item selected. The aim of this policy is to facilitate the building of a diversified library collection of merit and significance that reflects the interests and needs of the total community within the physical and budgetary constraints of the library. Selectors consult reputable, unbiased, professionally prepared selection aids and booklists.

The Library makes no attempt to assume the rightful role of parents in monitoring, controlling, or curtailing the reading, listening, or viewing behavior of their children. Parents should be interested and involved in their children's utilization of library materials. The Library does not assume responsibility for the possible misuse of information found in the collections by young readers. Children have access to the complete collection. The Van Meter Public Library supports the "Library Bill of Rights" by the American Library Association (Appendix A), "The Freedom to Read" statement by the American Library Association (Appendix B), and the Association of American Publishers, and the American Library Association's statement on "The Freedom to View" with the American Film and Video Association (Appendix C).

Textbooks, test preparation, and curriculum support

The Library encourages students at all levels to use the books and other materials in the collection. The collection includes some textbooks and test preparation materials that are useful to the general reader, but the Library will not attempt to provide textbooks for formal courses of study. The Library is not obligated to provide multiple copies of materials for classroom assignments.

Interlibrary Loan

Interlibrary loan refers to the process of borrowing materials from other libraries. When the Library deems a requested item unavailable or inappropriate for purchase, the item may be borrowed from another library through interlibrary loan, in accordance with the Library's policies and procedures regarding interlibrary loans.

Other areas of limited, or no, acquisition

- Puzzle books or workbooks that encourage filling in blanks
- Materials that are publicized solely through infomercials or personal websites and authoritative and evaluative information about them is lacking
- Self-published/subsidy published materials unless they are reviewed in established publications.

Exceptions are made for materials whose content is within the scope of the Special Collections area and meet its criteria.

Scope of Collection

General Print Fiction and Nonfiction Collections

The Library's collection of general fiction is geared towards adults and includes best sellers, genre fiction, classic literature, literary works, and books of general interest; the focus is broad and eclectic. The primary purpose of this collection is to satisfy demand from recreational readers. Newly published titles are emphasized, and multiple copies are acquired when warranted by demand.

The focus of the nonfiction collection is to meet general information needs in a wide range of topics of current and ongoing interest to the community. Materials pertaining to developing areas of knowledge are selected in as much quantity and variety as is possible without omitting items essential to maintain breadth in the collection. In subjects such as science, technology, and geopolitics, where the currency of the information is particularly important, new material is regularly selected to reflect changes in these areas.

The Library will purchase accurate, scientific and current books on human sexuality for adults and young people. Some areas covered are sex education for all ages, family planning, human reproduction and childbirth, sexually transmitted diseases, and sexual orientation.

The Library attempts to include authoritative materials that introduce and explain the basic concepts, beliefs, practices and background of all the major religions. An attempt is made to include the sacred scriptures of the major religions.

Children's Collection

The objective in providing reading material for children is to guide the child toward the enjoyment and appreciation of reading as well as meeting the developmental and informational needs of children from birth to approximately grade five, and the needs of parents, educators, and others concerned with children. Materials in a variety of print and non-print formats are selected for all levels of children's understanding and reading abilities.

Junior Fiction and Nonfiction

These materials are intended to serve children from the third grade through the sixth grade. Junior fiction and nonfiction materials should provide reading for pleasure and information, suited to a wide variety of interests. Special attention will be given to features which appeal to young readers: reading and comprehension level, illustrations, type, and format.

Easy Readers

These materials are intended to serve the needs and interests of beginning readers. Easy readers are intended to foster an enjoyment and appreciation of reading in the formative years. Those features noted as appealing to young readers under "Junior Books" above are applicable to Easy Readers, when suited to the reading level of beginning readers.

Picture Books

These materials are intended to serve the needs and interests of children of all ages, particularly those aged three to eight. Picture books are intended to foster an enjoyment of reading and, and through the illustrations, to develop an appreciation of art. They are designed to be read to children. Features

noted as appealing to young readers under "Junior Books" above are applicable to Picture Books, when suited to the appropriate reading level.

Board Books

These materials are provided in a sturdy format for the needs and interests of babies and toddlers.

Teen Collection

The Teen collection serves as a transition between the juvenile collection and the adult collection.

Materials in a variety of print and non-print formats are selected to meet the informational, recreational, and emotional concerns of teens in grades six through twelve.

Graphic Novels

The Library maintains a separate collection of illustrated novels for the Children's, Teen, and General collections, providing materials from many genres and novel types.

Audiovisual Materials

The Library maintains an extensive collection of visual recordings as well as a collection of audio materials. The Library makes no attempt to provide a comprehensive collection. When selecting audiovisual material, the following factors are taken into consideration in addition to aforementioned selection criteria:

- Technological trends and advances.
- Vulnerability to damage and/or theft.
- Types of equipment customers are likely to own.
- Types of materials available for purchase.

Reference

The reference collection is a non-circulating collection of materials designed to provide access to information in authoritative forms. It includes, but is not limited to, standard reference tools such as encyclopedias, dictionaries, almanacs, handbooks, directories, and biographical materials.

Special Collections

The Library maintains a special, non-circulating collection of genealogy and local history materials.

Magazines

The Library subscribes to magazines, most of which are selected for interest to the general reader. General selection criteria apply to the selection of periodicals. Another factor considered in selection of periodicals is accessibility to contents through standard indexes and reference tools. Some periodicals are selected for professional use by library staff. Some are selected with reference value in mind. The list of periodical subscriptions is reviewed annually by the Director as the orders become due for renewal.

Internet Information Resources

The Internet is an unregulated global computer network. The Van Meter Public Library provides public access to the Internet to augment the community's educational resources. The Van Meter Public Library cannot guarantee the accuracy and/or authenticity of information discovered through this resource. Patrons who find information or subject matter that is erroneous, out-of-date, illegal, offensive, and/or controversial should contact the original producer or distributor of that work directly. Library users of the Internet should be aware of the following:

The Van Meter Public Library holds the position that only parents and legal guardians have the right – and the responsibility – to monitor and control their own minor children's access to the Internet and to information obtained from the Internet.

The Van Meter Public Library cannot guarantee confidentiality over the Internet. Patrons entering personal information (credit card numbers, social security numbers, etc.) do so at their own risk.

The Van Meter Public Library complies with the United States Copyright Law, and all other federal, state and local laws relating to the use of the Internet and other electronic media.

The Van Meter Public Library is not responsible for work or information lost due to computer or system malfunction.

Electronic Resources

These resources will be acquired to complement or enhance the library materials that have historically been provided in physical formats, such as books, magazines, audio-visuals, and reference, and other academic resources.

Factors to be considered in evaluating and selecting digitized resources include:

- patron demand
- available format(s), with a preference for fully online (no local storage) resources
- value
- accessibility
- ease of use
- availability of equivalent resources
- accuracy, authority and uniqueness of content
- frequency of updates

In addition to the above factors, the library also needs to consider the possible advantages and disadvantages of acquiring resources in digitized format rather than in physical form. Since digitized resources do not require any shelf space, they would reduce the amount of storage space needed in the library, but they may also require a greater number of computer stations, increased bandwidth or specialized software. Another consideration is the compatibility of an online resource with equipment at the library and within the community. A final consideration is having an effective strategy for insuring adequate training and public awareness.

The Library provides access to informational databases, primarily Gale and Bridges: Iowa's eLibrary. Reference information, as well as scholarly and professional articles are available through Gale. Bridges eLibrary offers access to a collection of popular and literary titles in downloadable format.

Large Print

To better serve our visually impaired patrons, the Library maintains a collection of large print books, including both fiction, nonfiction, and biography.

Gifts, Donations, and Memorials

Donations to the library are accepted with the understanding that the library retains unconditional ownership. This includes, but is not limited to, the right to make the final decision on their use, and to determine the conditions of display, housing, and access if added to the collection. Materials not added to the collection will be taken to Half Priced Books to be sold. Funds from sold materials may be used for purchasing new materials or funding library programming. The library will not attempt to appraise or assign a valuation to any donated item.

Monetary donations will be used for augmenting the library materials budgets. A donor may specifically request a material(s) to be purchased with the donation with approval from the Director.

Collection Maintenance

The Library will undertake a continuous inventory and weeding of all holdings to update the collection, to identify missing items, and to ensure the accuracy of the computer database. The collection is maintained and weeded through an ongoing process of collection analysis. Items are repaired, withdrawn, or replaced based on the several factors, including but not limited to:

- number of circulations, requests and reserves
- availability of similar materials in the collection
- affordability
- in-print status
- appearance in standard lists
- space available
- availability at other libraries
- physical condition

Intellectual Freedom

The Van Meter Public Library upholds the democratic right of all individuals to freely express their thoughts and ideas, both popular and unpopular. We support the right of everyone to privately read, listen, and view the full range of published thought and ideas.

In support of these ideals, the Van Meter Public Library offers a collection of materials that is diverse, inclusive, and protected by the First Amendment of the United States Constitution.

Censorship

The selection of library materials is predicated on the library patrons' right to read and to be free from censorship by others. Many items are controversial and any given item may offend some persons. The library's collection contains a diversity of viewpoints and opinions. The presence of an item in the library does not indicate the Library's endorsement of its contents. Selection of materials by the Van Meter Public Library will not be made based on anticipated approval or disapproval, but solely on the merits of the material in relation to building the collection and to serving the interest of the readers.

The Van Meter Public Library holds censorship to be a purely individual matter and declares that anyone is free to reject for themselves books or other materials, but cannot exercise the right of censorship to restrict the freedom of others.

Access to Materials

The Library will not restrict patrons' access to material based on their origin, background, or views. Materials are freely and easily accessible to the public. Children are not limited to the juvenile collection and young adults are not limited to the young adult collection. The arrangement of materials within the library will take into consideration contemporary community sensibilities and the strategic goal of offering a welcoming environment. The decision about what a minor may or may not read is the responsibility of the parent or guardian, and is not the responsibility of the Library. As is the case with adults, circulation to minors cannot be denied by the Library. Library staff will not express judgment on, or monitor, anyone's reading.

Labeling of Materials

Library materials are not marked or identified to indicate approval or disapproval of their content.

Labels on library materials are viewpoint-neutral directional aids designed to save the time of users. The

fact that materials are purchased, processed and added to the collection shall in no way reflect an endorsement of the materials.

Challenged Materials

Due to the diverse nature of the library collection, it is possible that any individual may find information and ideas with which he or she disagrees contained in the library's collection. For this reason, the Library has a *Procedure to Address Challenged Materials* (Appendix D). An individual who has a concern about the inclusion of a specific title in the collection is encouraged to discuss this concern with a librarian and/or submit a *Request for Reconsideration of Library Materials Form* (Appendix E).

Adopted – October 23, 2017

Appendix A

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.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; January 23, 1980; inclusion of age reaffirmed January 23, 1996.

Appendix B

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.

Appendix C

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 guarantees 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.

Appendix D

Procedure to Address Challenged Materials

If a patron objects to the presence of certain library materials, the patron should be referred to the Director. If after speaking with the Director the patron remains unsatisfied, they should be offered a *Request for Reconsideration of Material Form* (Appendix E). A reminder should be given to the patron that no action will be taken based on a verbal complaint alone, and recommend that they should read, view, or listen to the material in its entirety before filling out the form.

Once the form has been submitted, the Director will take it before the Board of Trustees and complete the following procedure:

- Examine the concerns expressed in the request.
- Review the challenged material by reading, viewing, or listening to the material in its entirety.
- Determine if the material was selected within the parameters of the Library's Collection Development Policy.
- Determine the general acceptance of the material by reading reviews, if available.
- Weigh the values, strengths, and weaknesses of the material and form opinions based on the entire work rather than on limited passages or sections taken out of context.
- Consider the material in the context of the Library's mission statement.
- Review the material in conjunction with the ALA Library Bill of Rights.

Once a decision is reached, the Director will prepare a letter of response, and mail the letter to the patron. If a decision has not been reached within 60 days from the date of the request for reconsideration, the Director will notify the customer in writing stating that the title is still under review, and that a letter will be mailed upon a decision.

If the person who initiated the request is not satisfied with the decision, she or he may appeal for a hearing before the Board of Trustees by making a written request to the President of the Board. The Board will determine whether the request for reconsideration has been handled in accordance with stated policies and procedures of the Van Meter Public Library.

Appendix E

Request for Reconsideration of Library Materials Form

Author: _____

Title: _____

Format: _____

Publisher: _____ Date Published: _____

Request Initiated by: _____

Address: _____

Telephone: _____ E-Mail _____

Do you represent yourself? (circle one) Y N

Do you represent an organization? (circle one) Y N

If yes, what is the name of the organization? _____

Have you read, listened to, or viewed this material in its entirety? (circle one) Y N

How recently? _____

What do you believe is the main theme or point of this material?

To what in the material do you object? Please be specific. Site page numbers in book, scenes in movie, lyrics on CD, etc.

Why do you believe the material does not comply with the Collection Development Policy?

For what age would you recommend this material?

Is there anything good about this material?

Are there conditions under which this material might be helpful to someone?

Are you aware of reviews by literary critics?

What would you like the Library to do about this material? (Circle)

- a) Keep the material
- b) Remove the material
- c) Move the material to another location in the library

Signature_____



Mission Statement

Mission: Van Meter Public Library provides our community to access and guidance to resources that entertain and inform and offers programs that enrich and enlighten.

Values Statements

Intellectual Freedom: All services of the Library reflect the principals of Intellectual Freedom. The library is committed to the right of individuals to unrestricted access to information and ideas. The library board affirms and adopts the American Library Association's Library Bill of Rights (appendix A), Freedom to View (appendix B), and Freedom to Read (appendix C) statements. In addition, the Library supports the interpretations of the Library Bill of Rights, "Access to Library Resources and Services for Minors" (appendix D) and "Privacy" (appendix E).

Confidentiality and Privacy: We protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted. The library adheres to Public Records Law, Iowa Code Chapter 22 Section IV. Note: 22.7(13) and 22.7 (14) apply specifically to libraries. (appendix F) Exceptions to this privacy will be made for the purposes of recovering overdue materials and settling accounts for lost, late or damaged material, and for other matters related to the recovery of material or charges incurred by minor children for which a parent or guardian may be considered liable under Iowa Code section 613.16. (appendix G). The Library supports the interpretation of the Library Bill of Rights "Privacy" (appendix E).

Staff Integrity: All library staff (whether ALA members or not) are required to adhere to the ethical principals set out in the Code of Ethics of the American Library Association. (appendix H).

Board Integrity: All library Board Members are required to adhere to the ethical principals set out in the Public Library Trustee Ethics Statement of United for Libraries. (appendix I). In addition, Board Members will refer to the Iowa Library Trustees Handbook in making decisions regarding the board's relationship with the library director and staff, developing policy, funding sources and library laws.

Parental Rights: The Library makes no attempt to assume the rightful role of parents in monitoring, controlling, or curtailing the reading, listening, or viewing behavior of their children. The library encourages parents to be interested and involved in their children's utilization of library materials. The library provides assistance to parents and/or children in finding materials that meet the needs and interest of the child. The library does not limit children's access to the entire library collection. In no situation does the library act in the place of the parent. The Library supports the interpretation of the Library Bill of Rights, "Access to Library Resources and Services for Minors" (appendix D).

Approved by VMPL Board August 18, 2021

Appendix A

Library Bill of Rights 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.

Adopted June 19, 1939. Amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; and January 23, 1980; inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

Appendix B

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:

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.

To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.

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.

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.

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

Appendix C

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:

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.

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.

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.

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.

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.

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.

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.

Appendix D

Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's 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.

Article V of the Library Bill of Rights states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The right to use a library includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This includes minors who do not have a parent or guardian available to sign a library card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats.¹ Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.² Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected.

Article VII of the Library Bill of Rights states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.³

The mission, goals, and objectives of libraries cannot authorize libraries and their governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."⁴ Libraries and their governing

bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services, materials, or facilities should so advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

1 *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011).

2 *Erznoznik v. City of Jacksonville*, 422 U.S. 205 (1975): "Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors." See also *Tinker v. Des Moines School Dist.*, 393 U.S. 503 (1969); *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943); *AAMA v. Kendrick*, 244 F.3d 572 (7th Cir. 2001).

3 "Privacy: An Interpretation of the Library Bill of Rights," adopted June 19, 2002, by the ALA Council; amended July 1, 2014; and June 24, 2019.

4 "Libraries: An American Value," adopted on February 3, 1999, by ALA Council.

5 "Rating Systems: An Interpretation of the Library Bill of Rights," adopted on June 30, 2015, by ALA Council; amended June 25, 2019.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 under previous name "Free Access to Libraries for Minors"; July 1, 2014; and June 25, 2019.

Appendix E

Privacy: An Interpretation of the Library Bill of Rights

All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use.¹ When users recognize or fear that their privacy or confidentiality is compromised, true freedom of inquiry no longer exists.

Privacy is essential to the exercise of free speech, free thought, and free association. Federal and state courts have established a First Amendment right to receive information in a publicly funded library.² Further, the courts have upheld the right to privacy based on the U.S. Constitution. Many states provide guarantees of privacy in their constitutions and statute law.³ Numerous decisions in U.S. case law have defined and extended rights to privacy to all.⁴

The right to privacy includes the right to open inquiry without having the subject of one's interest examined or scrutinized by others, in person or online. Confidentiality exists when a library is in possession of personally identifiable information about its users and keeps that information private on their behalf.⁵ Article III of the Code of Ethics of the American Library Association states that confidentiality extends to "information sought or received and resources consulted, borrowed, acquired or transmitted," including, but not limited to, reference questions and interviews, circulation records, digital transactions and queries, as well as records regarding the use of library resources, services, programs, or facilities.

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. The American Library Association has affirmed a right to privacy since 1939.⁶ Existing ALA policies affirm that confidentiality is crucial to freedom of inquiry. Rights to privacy and confidentiality are explicit in Article VII of the Library Bill of Rights and implicit in its guarantee of free access to library resources for all users.

Rights of Library Users

Lack of privacy and confidentiality has a chilling effect on users' selection, access to, and use of library resources. All users have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use. ALA and its members recognize that children and youth have the same rights to privacy as adults. Library users expect, and in many places have, a legal right to have their personally identifiable information and library-use data protected and kept private and confidential by anyone with access to that information. Libraries should never enact policies or practices that abridge users' right to privacy regardless of their age, ability, housing status, immigration status, involvement with the criminal justice system, religious affiliation, ethnicity, sexual orientation, gender identity, or other forms of identity or status unless explicitly required by law. Even then, libraries should consult with legal counsel before abridging any user's right to privacy.

Libraries have a responsibility to inform users about policies and practices governing the collection, security, and retention of personally identifiable information and library use data. Additionally, users should have the choice to opt-in to any data collection that is not essential to library operations and the opportunity to opt-out again at any future time. All nonessential data collection should be turned off by default. In all areas of librarianship, best practice leaves users in control of as many choices as possible regarding their privacy. This includes decisions about the selection of, access to, and use of information.

Information about options available to users should be prominently displayed, accessible, and understandable for a general audience.

Responsibilities in Libraries

The library profession has a long-standing ethic of facilitating, not monitoring, access to information. Libraries implement this commitment through the adoption of and adherence to library privacy policies that are consistent with applicable federal, state, local, and where appropriate, international law. It is essential that libraries maintain an updated, publicly available privacy policy that states what data is being collected, with whom it is shared, and how long it is kept. Everyone who provides governance, administration, or service in libraries, including volunteers, has a responsibility to maintain an environment respectful and protective of the privacy of all users. It is the library's responsibility to provide ongoing privacy education and training to library workers, governing bodies, and users in order to fulfill this responsibility.

The National Information Standards Organization (NISO) Consensus Principles on Users' Digital Privacy in Library, Publisher, and Software-Provider Systems recognizes that the effective management and delivery of library services may require the library user to opt into the provision of personal data in order to access a library resource or receive library services. Users' personal data should only be used for purposes disclosed to them and to which they consent.⁷

Libraries should not monitor, track, or profile an individual's library use beyond operational needs. Data collected for analytical use should be limited to anonymous or aggregated data and not tied to individuals' personal data. Emerging biometric technologies, such as facial recognition, are inconsistent with the mission of facilitating access to library resources free from any unreasonable intrusion or surveillance.

Regardless of the technology used, everyone who collects or accesses personally identifiable information in any format has a legal and ethical obligation to protect confidentiality. Library security practices to safeguard personal information should be up to date and in compliance with state and national standards. Adherence to NISO Consensus Principles on Users' Digital Privacy in Library, Publisher, and Software-Provider Systems requires that these practices include:

encryption of personal data while they are at-rest and in-motion; prompt updates of systems and software to address vulnerabilities; systems, procedures, and policies for access control of sensitive data; a procedure for security training for those with access to data; and documented procedures for breach reporting, incident response, and system, software, and network security configuration and auditing.

Libraries should follow purpose-limitation, storage-limitation, and data-minimization principles⁹ when making decisions about collecting and retaining library-use data. In particular, libraries should collect and store only personally identifiable data required for specific purposes that are disclosed to the users.

Libraries should periodically review their data-collection and retention policies to identify situations in which the reason for collecting user data may no longer apply. Libraries may need to comply with state, institutional, or other governmental record-retention policy in addition to developing their own data-management policies. In addition, libraries should regularly review and update procedures for collecting and maintaining user data to ensure compliance with current industry privacy and security standards.

Libraries should never share users' personally identifiable information with third parties or vendors that provide resources and library services, unless the library obtains explicit permission from the user or if required by law or existing contract. Libraries or their governing institutions should negotiate agreements with vendors that retain library ownership of user data and permit independent auditing of vendor data collection, retention, and access policies and practices. Such agreements should stipulate that user data is confidential and that it may not be used or shared except with the permission of the library. Any vendor that handles user information as part of a library's service should have a publicly available privacy policy that commits to compliance with the NISO Consensus Principles. As existing contracts approach expiration, libraries should renegotiate future contracts to include these privacy safeguards.

Law enforcement agencies and officers may request library records and data that they believe contain information that would be helpful to the investigation of criminal activity. Libraries should have a procedure in place for handling law-enforcement requests. Libraries should make such records available only in response to properly executed court orders or legal process. These court orders are issued following a showing of good cause based on specific facts by a court of competent jurisdiction.

The American Library Association affirms that rights of privacy are necessary for intellectual freedom and are fundamental to the ethical practice of librarianship. The rapid pace of information collection and changes in technology means that users' personally identifiable information and library-use data are at increased risk of exposure. The use of new technologies in libraries that rely on the collection, use, sharing, monitoring and/or tracking of user data may come into direct conflict with the Library Bill of Rights and librarians' ethical responsibilities. Libraries should consider privacy in the design and delivery of all programs and services, paying careful attention to their own policies and procedures and that of any vendors with whom they work. Privacy is the foundation upon which our libraries were built and the reason libraries are such a trusted part of every community.

1 Article VII, Library Bill of Rights

2 Court opinions establishing a right to receive information in a public library include *Board of Education v. Pico*, 457 U.S. 853 (1982); *Kreimer v. Bureau of Police for the Town of Morristown*, 958 F.2d 1242 (3d Cir. 1992); and *Reno v. American Civil Liberties Union*, 117 S.Ct. 2329, 138 L.Ed.2d 874 (1997).

3 Ten state constitutions guarantee a right of privacy or bar unreasonable intrusions into citizens' privacy. Forty-eight states protect the confidentiality of library users' records by law, and the attorneys general in the remaining two states have issued opinions recognizing the privacy of users' library records. See: *State Privacy Laws Regarding Library Records*.

4 Cases recognizing a right to privacy include: *NAACP v. Alabama*, 357 U.S. 449 (1958); *Griswold v. Connecticut*, 381 U.S. 479 (1965); *Lamont v. Postmaster General*, 381 U.S. 301 (1965); *Katz v. United States*, 389 U.S. 347 (1967); and *Stanley v. Georgia*, 394 U.S. 557 (1969).

5 The phrase "personally identifiable information" was adopted by the ALA in 1991. See: "ALA Policy Concerning Confidentiality of Personally Identifiable Information about Library Users."

6 Article XI of the Code of Ethics for Librarians (1939) asserted that "it is the librarian's obligation to treat as confidential any private information obtained through contact with library patrons." Article III of the current Code of Ethics of the American Library Association (2008) states: "We protect each library

user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted."

7 National Information Standards Organization, "NISO Consensus Principles on User's Digital Privacy in Library, Publisher, and Software-Provider Systems (NISO Privacy Principles), Principle 4, Data Collection and Use" (Baltimore: National Information Standards Organization, December 10, 2015).

8 NISO Consensus Principles on Users' Digital Privacy in Library, Publisher, and Software-Provider Systems (NISO Privacy Principles) (2015)

9 These principles, drawn from the European Union "General Data Protection Regulation (GDPR)" (2016) and reflected in other fair privacy practice principles such as the "NISO Privacy Principles" (Baltimore: National Information Standards Organization, 2015) and "Guidelines on the Protection of Privacy and Transborder Flows of Personal Data" (Paris: Organisation for Economic Co-operation and Development, 2013), provide sound guidelines for libraries to follow in their data-privacy practices. Libraries in the United States are generally not subject to the GDPR but should consult with legal counsel to determine whether GDPR applies.

Adopted June 19, 2002, by the ALA Council; amended July 1, 2014; and June 24, 2019.

Appendix F

Public Records Law, Iowa Code Chapter 22 Section IV Paragraphs 13 & 14

22.7 Confidential records.

(13) The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.

(14) The material of a library, museum or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.

Appendix G

Iowa Code Section 613.16 Parental responsibility for actions of children.

1. The parent or parents of an unemancipated minor child under the age of eighteen years shall be liable for actual damages to person or property caused by unlawful acts of such child. However, a parent who is not entitled to legal custody of the minor child at the time of the unlawful act shall not be liable for such damages.
2. The legal obligation of the parent or parents of an unemancipated minor child under the age of eighteen years to pay damages shall be limited as follows:
 - a. Not more than two thousand dollars for any one act.
 - b. Not more than five thousand dollars, payable to the same claimant, for two or more acts.
3. The word “person” for the purpose of this section shall include firm, association, partnership or corporation.
4. When an action is brought on parental responsibility for acts of their children, the parents shall be named as defendants therein and, in addition, the minor child shall be named as a defendant. The filing of an answer by the parents shall remove any requirement that a guardian ad litem be required.

Appendix H

Code of Ethics of the American Library Association

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.

II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.

III. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

IV. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.

V. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.

VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.

VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.

VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of coworkers, and by fostering the aspirations of potential members of the profession.

Adopted at the 1939 Midwinter Meeting by the ALA Council; amended June 30, 1981; June 28, 1995; and January 22, 2008.

Appendix I

Public Library Trustees Ethics Statement

Official Statement from United for Libraries

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community. Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.

Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.

Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.

Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.

Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.

Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws

Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.

A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict of interest exists.

Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.

Trustees shall not interfere with the management responsibilities of the director or the supervision of library staff.

Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.



Chapter 13: Library Law and Legal Matters

It is important for board members to understand the essentials of a number of federal, state and local laws. Please consider this chapter to be legal information, not legal advice, which is defined as the application of law to specific circumstances. You should consult a lawyer if you want professional assurance that the information, and your interpretation of it, is accurate.

City-Library Ordinance

Most of Iowa's public libraries are established by an ordinance very similar to the sample ordinance in the appendix of this Handbook. Libraries established after Iowa's Home Rule Act (1972 Acts chapter 1088) may have an ordinance similar to the sample ordinance or it may be substantially different. In the city-library ordinance you will likely find:

- ❖ The number of board members, how they are appointed, and their term of office
- ❖ The powers and duties of the board, including its authority to set the librarian's salary and control the library's expenditures
- ❖ Procedure for budgeting and approving bills
- ❖ Reports required from the library to the city council

Changing the Library's Ordinance

"A proposal to alter the composition, manner of selection or charge of a library board, or to replace it with an alternative form of administrative agency, is subject to the approval of the voters of the city." (**Iowa Code 392.5**) For sound reasons, changing the library ordinance is not simple. Most other city ordinances are changed through a vote of the city council. However, substantial changes to the library ordinance--such as changing the number of board members, how board members are appointed, or their powers and duties--require a public vote at a general election.

A frequently asked question about the library ordinance is “Our ordinance states that all seven members of the board shall be residents of the city. We would like one of the board members to be a rural resident. How do we proceed?” Such a change to the library ordinance must be submitted to the voters in a city election. The library board may request that the proposed changes be placed on the ballot. If a majority of the voters approve, the city changes the library ordinance in accord with the proposal.

Iowa Code 392.5 protects library boards and the powers of library trustees against direct city control over libraries. This protection insulates library governance from political influence and safeguards intellectual freedom. The exception to this is libraries that have advisory boards; Iowa has two such advisory boards, all others are administrative governing boards.

Open Meetings

“This chapter seeks to assure, through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people. Ambiguity in the construction or application of this chapter should be resolved in favor of openness.” (Iowa Code 21.1)

Library board meetings are subject to the Iowa Open Meetings Law. Iowa law assumes that meetings are open to the public. Iowa citizens do not have to make a case to attend a governmental meeting such as a library board meeting. Even an informal meeting of library trustees would be subject to the Open Meetings Law if there is a majority of the trustees at the gathering and library business is discussed.

What is the Definition of a Meeting?

A meeting is defined as “a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body [library board] where there is deliberation or action upon any matter within the scope of the [library board’s] policy-making duties.” (Iowa Code 21.1)

How Much Notice Should Be Given for the Meeting?

Boards are required to publicly post their meeting notice at least 24 hours in advance. The posting should be in a prominent place, accessible to the community, in the building where the meeting is expected to take place. The agenda should also be posted online, ideally on the library website and the city website. The agenda must include the date, time, and meeting place. If a news/media agency requests a copy of the notice and agenda, the library board must supply it.

What Additional Information Must Be on the Agenda?

The agenda should include all business to be discussed at the meeting in enough detail to give community members a good idea of what topics will be discussed. If an item comes up at the meeting that has not been included on the agenda, action should be deferred to a later meeting. However, the law does allow for items that may come up on

an emergency basis.

What Should Be Included in the Minutes?

Minutes of all library board meetings must be kept and include the date, place, the members present, any action taken at the meeting and enough information to allow the public to determine how each member voted. Minutes are subject to the Open Records Law and must be made available to the public if requested.

When May a Meeting Be Closed?

To have a closed session, the government body must first meet in an open session. This means notice and the agenda, which reasonably apprises the public of what is about to occur, must be posted 24 hours in advance. The government body may go into closed session only with a two-thirds majority vote of the entire board or a unanimous vote of all the trustees present. In addition, the specific reason to go into closed session under **Iowa Code 21.5** must be announced in open session. If a closed session is conducted (note: there is no requirement to have a closed session) detailed minutes of the closed session must be kept and the closed session must be audio recorded. No final action may be taken during the closed session.

There are very few reasons listed allowing a closed session and each reason has very specific requirements. The following examples illustrate the need to read and become familiar with the law before going into closed session. **Iowa Code 21.5(1)(i)** allows trustees to evaluate the professional competency of an employee or potential employee, but two criteria must be met: (1) the closed session must be *"necessary to prevent needless and irreparable injury to that individual's reputation"* and (2) the person you are evaluating must request a closed session. Without both requirements met, a closed session is not allowed by law.

Another example is when the government body is discussing the purchase of real estate. A closed session may be held only if the *"premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property."* This particular section is unique because after the transaction is complete the government body must make available the audio recording and minutes from the closed session.

The specific requirements of the Open Meetings Law can be confusing. If you are uncertain, seek legal advice before proceeding. Under the Open Meetings Law there are exceptions to the liability of the law if you *"reasonably relied upon a decision of a court or a formal opinion of the attorney general or the attorney for the governmental body."* You may also contact the **Citizens' Aide/Ombudsman Office** at 888-426-6283 or review the **Iowa Attorney General Sunshine Advisories**.

Board members should be familiar with Iowa's Open Meeting Law and each member should have a copy of the Iowa Open Meetings/Open Records Handbook, available from the **Iowa Freedom of Information Council**.

Open Records and Confidentiality

“Every person shall have the right to examine and copy public records ... [however] the following records shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information ... The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.” (Iowa Code 22.2 and 22.7(13))

Library boards should take every precaution to guard the confidentiality of library customers. This includes ensuring that:

- ❖ A confidentiality policy for the library is adopted by the board.
- ❖ Circulation records in an automated system are not kept after statistics are recorded and the material is returned; any fines or fees attached to the record are paid.
- ❖ Overdue notices are sent only in sealed envelopes or via e-mail and never on postcards where others could see what the customer has checked out.
- ❖ Phone reminders of overdue items and reserves left on answering machines maintain confidentiality by not verbally revealing the titles of the items.

Included in a confidentiality policy should be a statement about the custodian of the record and the circumstances within which library check-out records may be released. The identity of which customer requested which materials or information may be revealed only:

- ❖ If the library is presented with a court order. (The court order must indicate that this information is needed for the investigation of a particular person or an organization and may only be issued after a judge has determined if the connection between the case and the record makes it “cogent and compelling” that the information is released.)
- ❖ If the lawful custodian of the records, defined by an Iowa Attorney General’s opinion to be the library director, releases the information. (To safeguard customers’ confidentiality, the library board should state in the policy that the record shall be opened by the lawful custodian only upon receipt of a court order as indicated above.)

Library customer information (such as names and addresses) that is not attached to a circulation record may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards. The board should adopt a policy on release of this type of information. See **Iowa Code 22.7(18)**.

Questions on Confidentiality and Open Records

An issue that is frequently raised is if a parent can see the titles checked out on a child's card. Parents, under **Iowa Code 613.16**, are liable for the acts of their children. At the same time, **Iowa Code 22.7 (13)** protects the confidentiality of all library patrons regardless of age. Thus, parents are liable for the acts of their children and yet children are included in the right to have their library records kept confidential. Obviously, libraries are in a difficult position as a result of these two Iowa Code sections.

As noted previously, **Iowa Code 22.7** does allow for discretion on the part of the custodian of the records, who is most often the library director. In other words, the Iowa Code gives the custodian of the records, the library director, the authority to decide whether or not to release library records. If records are requested by a criminal or juvenile justice agency, the library director may release the records only upon receiving a court order.

Some libraries in Iowa will not release the records of a child to a parent under any circumstance. Others will release them in certain situations. To protect intellectual freedom, library boards should err on the side of confidentiality. Releasing the records of a library patron, regardless of age, should be the exception rather than the rule. A parent who wishes to know what a child has checked out has at least two other options besides asking the library director for the child's library records. A parent could simply ask the child what is checked out or require the child to check out materials under the parent's card.

Patron records may be used for purposes of fundraising by Library Friends or Foundation groups as long as the list does not link the customer with the material or information requested, it is an open record and is open to inspection by the general public. However, as noted earlier, this information may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards.

Gender Balance For Library Boards

"All appointive boards, commissions, committees, and councils of the state established by the Code, if not otherwise provided by law, shall be gender balanced." (**Iowa Code 69.16A**)
Note: striving for gender balance is a city government obligation because mayors appoint and councils approve library board members. Note that the law allows an exemption if a "good faith effort" has been made for three months to gender-balance appointments.

Your board can and should take a partnership role in helping your city government in this effort. For example, you and the director can develop a list of potential trustees ahead of when vacancies need to be filled. Be sure to include both male and female candidates, then submit your list to the mayor's office.

Compatibility of Office

Not all possible combinations of public office have been tested in the courts or by the Iowa Attorney General's office. However, the following offices, specifically applying to libraries, are considered incompatible, meaning that one person should not hold both offices at the same time:

- ❖ Council member and library board member
- ❖ City clerk and library board member
- ❖ Mayor and library board member

A person may seek an office position currently incompatible with the office now held if the person gives up the current office upon taking over the new office (based on a 1912 Iowa Supreme Court decision "State v. Anderson" [136 N.W. 128] that addresses compatibility of office).

During your time on the board you may also come across situations that raise questions about conflict of interest. One example is a board member who wants to work as a substitute at the library and be paid. Although it is technically legal (**Iowa Code 362.5**) it is not recommended. Even if the board member abstains from voting on his or her pay, this practice still puts the library director in the position of supervising someone who is actually his or her employer. This could be a very difficult position for the library director if the board member's performance as a substitute is unsatisfactory.

Another example of potential conflict of interest is a board member whose relative is a library staff member. The employee may go around the director to take concerns to the board member when the issue should be resolved by the library director and the employee. Allowing this type of situation to continue undermines the authority of the director.

If you as a trustee are sincerely concerned about a potential conflict of interest, discuss the situation with the full board. Then consider a discussion with the city manager, city attorney, mayor and/or city council. Because to allow a potential conflict of interest to go unresolved could damage the library's credibility in the community for years to come. If you are unable to decide whether or not there is a conflict of interest, unresolved questions can be formally addressed to the Iowa Attorney General's Office by an elected official.

Board Liability

"A person who performs services for a municipality or an agency or subdivision of a municipality and who does not receive compensation is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. For purposes of this section, 'compensation' does not include payments to reimburse a person for expenses." (Iowa Code 670.2)

The legal power of the board comes when the board acts as a body. To guard against potential liability, avoid the following:

- ❖ Acting in excess of authority, i.e. inappropriate expenditures or exceeding budget spending levels
- ❖ Failing to act when action should have been taken, i.e., failure to meet contractual obligations
- ❖ Negligence, i.e., unsafe buildings and grounds, failure to supervise funds
- ❖ Intentional misconduct, i.e., libel, improper discharging of an employee, theft
- ❖ Acting in violation of the law, i.e., authorizing payment of improper expenses, failing to follow proper rules for hiring

Fair Labor Standards Act (FLSA)

The federal Fair Labor Standards Act (FLSA) establishes standards for basic wages, overtime pay, record keeping, and child labor.

Basic Wages

Each library employee must be paid not less than the minimum wage. Library employees must be paid for hours worked and may not volunteer time without pay. As of this writing Iowa's minimum wage is \$7.25. For detailed information on Iowa's minimum wage, refer to the **Iowa Department of Workforce Development**.

Paying Library Staff During Training

According to Iowa Workforce Development: *"If any such gathering is required by an employer, or if an employer leads its employees to believe they will receive adverse treatment for not attending, the employer must pay its employees for the time spent in attendance."* (Iowa Workforce Development) This is also a Tier 1 standard addressed in Iowa Public Library Standards. **Standard #23:** *"The library allows the director to participate in continuing education opportunities during their work time."*

Overtime Pay

Within the public library are employees who are exempt and those who are non-exempt

from the FLSA regulations; one of the deciding criteria is whether the employee has independent decision-making authority. The director of a public library is usually an exempt employee if he or she directs a staff of at least two. Those employees who do not have independent decision-making authority, even if they have a library science degree, are non-exempt from the FLSA. To determine whether a position is exempt or non-exempt, call the Wage and Hour Division of the **U.S. Department of Labor** Iowa office at 515-284-4625.

Non-exempt employees must be paid overtime at a rate of not less than one and one-half times their regular rates of pay after 40 hours of work in a workweek. A workweek is defined as seven consecutive 24 hour periods, fixed and regularly occurring; each workweek stands alone. Time off may be granted within the workweek if the employee has reached 40 hours before the end of the week. In other words, an employee may work 10 hours each day, four days straight within the workweek without being paid overtime. However, if the employee works 45 hours during one workweek and 35 hours during the next, five hours of overtime must be paid.

For libraries in the public sector, compensatory time may be given in lieu of overtime, but must be given at the rate of “time and a half” to non-exempt employees.

Recordkeeping

The FLSA requires that employers keep records on wages, hours, and other items, as specified in Department of Labor recordkeeping regulations. Most of the information is the kind generally maintained by employers; the records do not have to be kept in any particular form and time clocks need not be used.

Child Labor Standards

Fourteen is the minimum age for library work; youths 14 and 15 years old may work at the library outside of school hours under the following conditions:

- ❖ No more than 3 hours per school day and 18 hours in the school week
- ❖ No more than 8 hours on a non-school day or 40 hours in a non-school week
- ❖ Work may not begin before 7:00 a.m. or continue after 7:00 p.m. except from June 1 through Labor Day when permissible evening hours are extended to 9:00 p.m.

A library may hire youths 16 years of age and older to work unlimited hours within the guidelines of the FLSA.

For more information on FLSA, see the Wage and Hour Division of the **U.S. Department of Labor**.

Iowa Gift Law

“Except as otherwise provided in this section, a public official, public employee, or

candidate, or that person's immediate family member shall not, directly or indirectly, accept or receive any gift or series of gifts from a restricted donor.” (Iowa Code 68B.22)

The library's director and trustees are subject to the Iowa Gift Law. You cannot accept a gift for personal use that has a value of over \$3.00 from anyone who wants to do business with the library. For example, you cannot personally accept a gift from a book salesperson who could sell books to your library. However, if the benefit is available generally, it is not considered a gift. For example, if Baker & Taylor provides book discounts to library staff members in all libraries, it is not considered a gift to an individual employee and does not fall under the Iowa Gift Law.

Digital Millennium Copyright Act (DMCA)

On October 12, 1998, Congress passed the Digital Millennium Copyright Act (DMCA). The law became effective in October 2000 and it has been incorporated into the Copyright Act (Title 17 of the U. S. Code). This landmark legislation updated U.S. copyright law to meet the demands of the Digital Age and to conform U.S. law to the requirements of the World Intellectual Property Organization (WIPO) and treaties that the U.S. signed in 1996. Divided into five "titles," the DMCA is a complex act that addresses a number of issues that are of concern to libraries. Among its many provisions, the Act:

- ❖ Imposes rules prohibiting the circumvention of technological protection measures
- ❖ Sets limitations on copyright infringement liability for online service providers (OSPs)
- ❖ Expands an existing exemption for making copies of computer programs
- ❖ Provides a significant updating of the rules and procedures regarding archival preservation
- ❖ Mandates a study of distance education activities in networked environments
- ❖ Mandates a study of the effects of anti-circumvention protection rules on the "first sale" doctrine

The DMCA provides safe harbor from copyright infringement liability for online service providers. In order to qualify for safe harbor protection, certain online service providers—like public libraries—must designate an agent as the person who will receive notices of copyright infringement.

To designate an agent, a service provider must do two things: (1) make contact information for the agent available to the public on its website and (2) provide that same information to the federal copyright office, which maintains a centralized online directory of designated agent contact information for public use. The service provider must also ensure that this information is up to date.

The DMCA License renews for \$6.00 every three years. The license recognizes the public library as a provider of public Internet access and helps to alleviate problems when people illegally download content via the library's computers.

If your library has ever received a "cease and desist" letter from your Internet service provider, you'll appreciate the benefit of this license. It's not uncommon for public libraries to be notified of illegal downloading activity happening on the library's computers, typically by people illegally downloading movies. So this DMCA license indicates that a public library will pledge to curtail illegal use of its public Internet computers and to report the library director (typically) as an "agent."

For more information, see the [DMCA webpage](#) from ALA.

For answers to other legal questions, refer to the **Library Law FAQ** developed by the State Library Law Librarian.

				FY23 REVISED & APPROVED BUDGET	FY24 APPROVED BUDGET	FY25 PROPOSED BUDGET
EXPENSE	FY20 ACTUAL	FY21 ACTUAL	FY22 BUDGET			
Wages FT 182-410-6010	\$ 42,474.90	\$ 42,124.40	\$ 44,000.06	\$ 62,500.00	\$ 46,200.00	\$ 52,000.00
Wages PT 182-410-6020	\$ 10,034.67	\$ 10,597.18	\$ 16,554.45	\$ 13,000.00	\$ 25,000.00	\$ 30,000.00
Dues 182-410-6210	\$ -		\$ -	\$ -	\$ -	\$ -
Programming 182-410-6215	\$ 1,797.80	\$ 2,754.38	\$ 4,291.58	\$ 5,500.00	\$ 5,500.00	\$ 8,000.00
Subscriptions 182-410-6220	\$ 672.95	\$ 614.84	\$ 75.65	\$ 100.00	\$ 500.00	\$ -
Training 182-410-6230	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00	\$ 1,500.00
Operating & Maintenance 182-410-6311	\$ 166.51	\$ 184.77	\$ 140.00	\$ 400.00	\$ 5,000.00	\$ 6,000.00
Utilities 182-410-6371	\$ 1,041.66	\$ 1,120.95	\$ 1,438.72	\$ 1,900.00	\$ 2,000.00	\$ 2,000.00
Telephone 182-410-6373	\$ 584.92	\$ 647.19	\$ 585.74	\$ 800.00	\$ 800.00	\$ 800.00
Technology 182-410-6419	\$ 3,319.74	\$ 2,643.30	\$ 4,538.48	\$ 6,000.00	\$ 5,500.00	\$ 8,000.00
Community Intersect 182-410-6424	\$ 52.74			\$ -	\$ -	\$ -
Other Contractual Services 182-410-6499	\$ 2,000.00	\$ 1,200.00	\$ 1,224.96	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00
Library Materials 182-410-6502	\$ 6,412.92	\$ 6,856.49	\$ 15,966.43	\$ 10,500.00	\$ 11,000.00	\$ 18,000.00
Office Supplies182-410-6206	\$ 1,820.24	\$ 3,084.38	\$ 1,433.73	\$ 3,000.00	\$ 3,000.00	\$ 4,500.00
Transfer Out 182-910-6910		\$ 10,000.00	\$ -			
TOTAL EXPENSE	\$ 70,379.05	\$ 81,827.88	\$ 90,249.80	\$ 105,200.00	\$ 106,000.00	\$ 132,200.00



Director's Report

Submitted by Jonatha Basye, October 4th, 2023

Statistics for September 2023

	This Month	Year to Date	Last Year to Date
VISITORS	327	1262	1522
CIRCULATION			
Books- Adult	103	331	390
Books- Teen	11	68	43
Books- Juvenile	516	1811	1672
Misc	18	61	135
DVD	32	185	204
E-Books & Audio Books	344	976	885
Total Circulation	1024	3432	3329
PROGRAMMING			
Juvenile Programs Offered	12	22	39
Juvenile Program Attendance	136	477	216
Adult Programs Offered	0	0	0
Adult Program Attendance	0	0	0
Total Attendance	136	477	216
OTHER SERVICES			
Reference Questions	67	174	11
Wireless Usage	78	203	338
Computer Usage	11	42	14
MATERIALS			
Items Added	75	138	263
Items Deleted	16	33	213



Work reflected took place between September 12th and October 9th

- Week of September 11th--Gettin' Crafty at the Library (Leaf)
- September 12th--Chick-Fil-A Food Truck at Library
- September 13th--TeenTastic October Webinar through the State Library of Iowa
- September 14th--Meeting with Hoopla representative
- September 14th--StoryTime Outreach (Inspired Kids Academy)
- September 15th--Relax & Read
- Week of September 18th--Gettin' Crafty at the Library (Penguin)
- September 19th--Stories, Songs & Snacks 10AM & 4PM
- September 20th--Library Board Meeting; Trustee Training with Maryann Mori, State Library Consultant
- September 21st--StoryTime Outreach (University Kids)
- September 21st--Intersections: Where Cities and Libraries Meet Webinar through the State Library of Iowa
- September 22nd--Relax & Read
- Week of September 25th--Gettin' Crafty at the Library (Dinosaur)
- September 25th--City Council Workshop
- September 26th--Check It Out! September 2023 Webinar through the State Library of Iowa
- September 28th--StoryTime Outreach (Kids Care)
- September 28th--Penguin Young Readers Preview Spring 2024 Webinar
- September 29th--Relax & Read
- Week of October 2nd--Gettin' Crafty at the Library (Pumpkin)
- October 3rd--Stories, Songs & Snacks 10AM & 4PM
- October 9th--City Council Meeting

September was a busy month for programming. We piloted a new program called Relax & Read for students in 1st through 8th grade. The program, which is scheduled on early out Fridays, requires students to read for 6 minutes (at least), and then they can grab a snack. The program is based on research that states that reading for 6 minutes a day reduces stress levels. We have had good participation thus far.

Gettin' Crafty at the Library is still very popular. Patrons appreciate having a drop in activity where registration is not required and readily available. Stories, Songs & Snacks has been off to a slow start, but we are hopeful it will continue to catch on as the months progress.

Library outreach began this month with visiting all daycares located in Van Meter. I will be going once a month to provide the children with StoryTime programming.

Adult programming will begin next month with an Adult Craft & Chat on Saturday mornings. We are hopeful that adult patrons will help us make this program a success. We are still in the process of developing an Adult Book Club, and hope to launch in the next several months.