

Approved Minutes—Special Board Meeting 4-17-2024

Special meeting of the FCLS board held at 1 PM on April 17, 2024, at Riverton Branch Library and on Zoom.

Present: Board Members: Carrie Johnson, Kristen McClelland, Perry Cook, Marta Mossburg, John Angst (via Zoom); Library Director Anita Marple

Carrie Johnson called the meeting to order at 1 PM.

1) Approval of Agenda

Perry Cook moved to approve the agenda with the addition of 2G to address board communication issues and formal communication with the Director raised at the beginning of the County Commissioners' April 2, 2024 letter. Passed.

2) Commissioner Directives from April 2, 2024 Letter

Perry Cook read a letter she had written regarding the County Commissioners' letter and issues raised in it. Letter is attached to the end of this document.

A) Challenged Materials Review

1. When a Patron raises an objection to any materials in the Library collection:

- a. Library staff and/or the Library Manager are encouraged to listen to the Patron's concerns about the material.
- b. Library staff will ask if the Patron desires to speak with the Library Manager.
- c. Library staff and/or the Library Manager will offer the Patron a copy of the FCLS Materials Acquisition Policy and engage in respectful dialog.

No changes to first point

2. If the Patron wishes to file a formal complaint about any material in the Library collection, the Library Manager will explain the process and provide the Patron with the FCLS Citizen's Request for Reconsideration of Library Materials (CRRLM) packet. The Patron may request that the material be removed from the collection or relocated in the library.

In point two: add "or direct them to the online form" to the first sentence. Immediately following add: "The patron may return the signed form in person or via mail or as an email attachment."

3. The Library will not consider an appeal if the Patron has not read or viewed the entirety of the challenged material. If the Patron has not read or viewed the entirety of the material, they are not adequately informed to speak to the contents of the material. The formal review will not go forward until the completed and signed written form is received. Only CRRLM submissions from Fremont County,

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Wyoming residents will be considered. The Library Manager or Library Director may informally review the material in question at their discretion.

In point three: remove “written” in the second sentence. Remove the last sentence (The Library manager.....at their discretion).

4. The Patron’s completed CRRLM form and the material in question will be given to the Library Manager of the Patron’s home branch and to the Library Director.

No changes to point four.

5. The challenged material will be objectively reviewed by the Library Director and/or Library Manager(s). The review will include an evaluation of the material according to the Materials Acquisition Procedure.

No changes to point five.

6. After final review by the Library Director, the following actions will be taken:

- a. The Library Director will provide a written decision with explanation to the Patron within 30 days of receiving the form. If more time is needed, the Library Director will inform the Patron.
- b. The Library Director will inform the complainant Patron that the decision may be appealed to the Library Board of Directors.
- c. The Library Director will provide a written summary to the Library Board of the CRRLM and decision.

No changes to point six.

7. If the Patron ~~believes that the Director’s determination failed to correctly follow and apply library policy and procedure~~ disagrees with the Director’s determination on the challenged material, they may appeal to the Board in writing and request an appeal review. The Patron must state in writing the specific objections to the arguments presented in the Director’s decision document. Introduction of new arguments related to the appeal must be included in the written request for an appeal hearing. ~~Mere disagreement with the decision is not sufficient grounds for an appeal.~~ Written requests for an appeal to the Library Board must be received within 14 days of the date that the Director’s decision letter was sent.

In point seven: add “who initially filed the challenge” following the first three words “If the Patron.”

8. Appeals to the Library Board will proceed through these steps:

- a. When an appeal review is requested, the Director will provide the Board with 1) the Patron’s original CRRLM form, 2) the Patron’s written appeal document, 3) the Director’s decision document and all supporting materials, and 4) the Director’s written response to the Patron’s written appeal document.
- b. The Board will review these documents and decide whether to support the Director’s review process and decision or to pursue further inquiry. ~~if policy and procedure were correctly followed and applied in the~~



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~~Director's review process and decision. At a regular board meeting, the Board will discuss the appeal and make a decision.~~

c. If the Board decides to support the Director's review and decision, then no further action will be taken. ~~that policy and procedure were correctly followed and applied, then the Director's decision will stand.~~ The Board Chair will send a written decision to the Patron.

d. If the Board determines that further inquiry is needed, then ~~an error was made in following policy and procedure, then the Board will remand the challenge back to the Director with an explanation of the error that was made and with a request for additional review.~~ the Director will coordinate with the Board Chair and the Patron to schedule an appeal hearing at a regular board meeting. Board members will review the challenged material in its entirety prior to the appeal. The Board Chair may limit the number of appeals heard at a board meeting.

e. At the appeal hearing, the Patron will have 5 minutes to speak. Only the Patron will speak on the appeal. The Board may ask clarifying questions related to the written appeal.

f. The Director will have 5 minutes to present the results of additional review as requested by the Board. The Board may ask clarifying questions related to the additional review.

g. The Board will render a decision on the appeal.

No changes to point 8.

~~9. The conclusion reached is to remain in effect.~~ The decision will stand for a period of 2 years from the date of this decision; no challenges on the material will be considered during this time period.

In point 9, change to "3" years from "2" years.

Perry Cook moved to approve the Challenged Materials Procedure as edited. Passed.

B) Criteria for Performing a Review

Perry Cook moved that the director document in writing the procedure currently being used to review challenged books based on the tenets of the Materials Acquisition Policy and Procedures. Passed.

The board agreed books should not be pulled during the challenge process with some of the rationale including that a book is presumed innocent until deemed otherwise and that pulling a book before review would give too much power to one person compared with the possible needs of the county's population as a whole.

C) Age appropriateness of Materials and D) Teen Section

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Perry Cook moved that the director post the FCLS Guidelines to Youth Services Fiction Categories in all libraries, distribute them to parents upon receipt of children's library card and investigate and report back to the board on tying the categories to library card access. Passed.

E) Filtering of Children's Computers

The 45-day public comment period for addressing new policy on Internet Use Policy just ended April 16th. A motion to add filtering will happen at the May board meeting following discussion of public comment.

F) Board Member Behavior

Anita Marple addressed the impact on library staff of Kristen wearing the "Get Your Porn at the Fremont County Library" t-shirt worn by Kristen McClelland. It demoralized the FCLS employees.

Kristen McClelland said that she had already addressed this issue and has taken responsibility for it. She said everyone knows her stance on pornography in the library and that she didn't know if it was appropriate but she can't change it. She said other board members are also guilty of bad behavior as well.

Perry Cook said she thinks the issues have been addressed and that we should move on.

G) Communication with Board and Commissioners

Carrie Johnson sent a response to the County Commissioners on April 2 outlining changes previously made to our Communication Policy and reiterating that formal communication had been made with the Director which addressed their concerns in their 8/22/23 letter.

Carrie Johnson said she would send a cover letter along with the minutes to this meeting to the County Commissioners to respond to all of the remaining concerns in their 4/2/24 letter to the FCLS Board.

John Angst said some people misinterpreted Anita Marple's article in County 10.

3) Action items.

Carrie Johnson noted the planned separate budget meeting will be rolled into the next regularly scheduled board meeting on May 1, 2024, in Riverton at 9:30 AM.

Carrie Johnson adjourned the meeting at 3 PM.

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Letter read by Perry Cook

In response to having a Special Meeting called to respond to the County Commissioner letter of 4/2/24 I have written the following:

I am saddened by the controversial state in which the FCLS has found itself.

We have brought this on by recent unprofessional, inaccurate, and rude behavior from the Library Board, from the County Commissioners, and from the public. Because of this behavior we have been contacted by everything from what Massachusetts state government labels a hate group to USA today.

The controversy has impaired the Library Board's ability to focus on their main job of developing policies, overseeing the library budget, and strategic planning. The controversy has also taken away time from our Director whose time would be better spent on developing library programs for all the citizens of Fremont County, developing our library collections, providing library staff training, and applying for grant funding to better serve the needs of our patrons. The controversy has also demoralized the Library staff.

I would ask the County Commissioners to Treat our Director professionally

Berating her, in the April 2nd County Commissioner meeting, for a landscaping project that the County Commissioners themselves had previously approved is not professional

Making a motion to not handle any Library administrative business when the commission is upset with the Board's, not the Director's, actions keeps the library from serving the public as intended.

I would ask the County Commissioners to Publish only accurate and non-inflammatory information

The letter that we are addressing today stated regarding Challenged materials that “only two of the Board members read the material completely.” This was incorrect as 4 had read one book completely and 3 had read the second book completely with the 4th having only read half due to issues with Libby.

The inaccurate information was picked up in a statewide e-news article and disseminated widely, which impugns/calls into question the Board's actual thorough review of the challenged books

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I would ask the Library Board to work cooperatively, treat each other with respect, and act in the best interest of the FCLS. Remember our By-Laws state “Library Board members are appointed to act in the interest of the entire Fremont County Library System.”

1. Losing one’s temper is not proper in a Board meeting.
2. Wearing T-shirts with inflammatory statements against the Library is not appropriate.
3. Bringing up concerns of the political leanings of potential board members is not appropriate.

I would ask the public to follow our procedure for public comment, and treat us, as volunteer public servants, and our Board meetings with respect. This would include not booing other commenters or storming out while yelling at the Board. The Board wants input from the Public. The County is very large and diverse so that we expect and welcome many points of view. The Public also needs to respect the views of all our Fremont County citizens.

In summary, I hope that we can all work together in a respectful and professional manner using accurate information, politeness and decorum to best support and grow our Fremont County Libraries for the benefit of the entire population of Fremont County.

Thank you
Perry Cook