



# BOISE PUBLIC LIBRARY

MAYOR: Lauren McLean | DIRECTOR: Jessica Dorr

## Boise Public Library Board of Trustees Regular Meeting Agenda

Wednesday, May 8, 2024, 11:30 a.m. • Main Library, Marion Bingham Room, 715 S. Capitol Blvd., Boise, ID 83702

Public can attend the meeting in person or via YouTube at the following link:

<https://www.youtube.com/channel/UCJo0NAsCybsN0DtzuAI3LGA>

<b>BOARD OF TRUSTEES</b> Nicole Trammel Pantera, President Rebecca Lemmons, Vice President Reshma Kamal Brian Klene Ron Pisaneschi	<b>MISSION</b> The Boise Public Library's mission is to provide access and opportunity for everyone by connecting people to ideas, information, and community.
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#### MAIN LIBRARY

715 S. Capitol Blvd., Boise, Idaho 83702  
P: 208-972-8200 | TTY: 800-377-3529

LIBRARY! AT  
BOWN CROSSING  
P: 208-972-8360

LIBRARY! AT  
COLE & USTICK  
P: 208-972-8300

LIBRARY! AT  
COLLISTER  
P: 208-972-8320

LIBRARY! AT  
HILLCREST  
P: 208-972-8340

BOISE CITY COUNCIL: Colin Nash (President), Meredith Stead (President Pro Tem), Kathy Corless, Jimmy Hallyburton, Jordan Morales, Luci Willits

# AGENDA

**Boise Public Library Board of Trustees Regular Meeting Agenda**  
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715 S. Capitol Blvd., Boise, ID 83702

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**1. Call to Order and Introductions**

**2. Communications**

Certificates of appreciation from Mayor McLean to boards and commissions.

**3. Minutes-Action Item**

April 10, 2024, Regular Meeting

**4. Consent Agenda-Action Item**

All matters on the consent agenda are considered routine and may be approved in a single motion. A trustee may ask that an item be removed from the consent agenda and considered separately.

**a. Payment of Bills and Payroll**

**b. Financial Reports**

Year-to-Date through March 31, 2024

Gift Fund activity for March 2024

**5. Reports**

**a.** Friends of the Boise Public Library

**b.** Boise Public Library Foundation

**c.** Library Director including administration and management

**6. Educational Item**

**FY24 Summer Reading**

Staff will present to the Trustees an overview of the Boise Public Library 2024 Summer Reading Program.

**7. Old Business**

**a. Master Facilities Plan Update**

Shawn Wilson, Municipal Facilities Program Senior Manager will provide an update on the process to create a new Master Facilities Plan for the Library.

**b. Boise Public Library Policy Review:**

**Section 5.00, Collection Development & Maintenance-Action Item**

Staff will review recommended changes to policy 5.02, Reconsideration of Materials, included in the meeting packet. A motion to approve the recommended changes will be requested.

Recommended changes to exhibit 5.02a, Request for Reconsideration of Library Materials, is also included in the meeting packet. Exhibit changes do not require the Board's approval and are included for information purposes only.

This continues the Library Board of Trustees annual policy review for Fiscal Year 2024 as stipulated by the Board's bylaws.

**8. New Business**

None

**9. Selection of Trustee to Review Payment Vouchers**

Trustee review of vouchers by Lemmons.

**10. Selection of Meeting Date-Action Item**

Next regular meeting on Wednesday, June 5, 2024.

**11. Adjourn**

*Any person needing special accommodations to participate in the above notice meeting should contact the library administration office at 208-972-8258 no later than three working days before the scheduled meeting.*

# BOISE PUBLIC LIBRARY

## Library Director's Report

May 2024

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### Operations

#### *Hours and Services Status*

All locations experienced normal operations during April without the need for adjustments to hours or services for any reason.

#### *The "Children's School and Library Projection Act" (House Bill 710)*

On April 10<sup>th</sup>, Governor Little signed into law House Bill 710aaS, the "Children's School and Library Protection Act" which will go into effect on July 1<sup>st</sup>. A copy of the bill and the Governor's transmittal letter is included in the packet starting on page 12. In their April meeting, Trustees began discussing how the Library will implement the new law. Two documents have been drafted to address House Bill 710 for discussion in May:

- 5.02 Reconsideration of Materials Policy
- 5.02a Request for Reconsideration of Library Materials Form Exhibit

In their April discussion, Trustees raised some questions with regards to liability and insurance for Trustees serving on the Library Board of the Boise Public Library. The "Children's School and Library Protection Act" states any action brought pursuant to the Act shall be in accordance with the Idaho Tort Claims Act (ITCA). Under the Idaho Tort Claims Act, the City is required to defend its employees while they are working within the course and scope of their employment so long as the employee does not act with malice or criminal intent. "Employees" is defined under the ITCA to include board members and appointed officials serving with or without compensation. The Library Board is given the authority under Idaho law to establish policies for the library. There is a rebuttable presumption that any action taken by an employee within the time and at the place of employment is within the scope of employment and without malice or criminal intent.

The ITCA also requires government entities to maintain minimum insurance levels, which the City of Boise is in compliance with. The Boise Public Library is not insured by the Idaho Counties Risk Management Program (ICRMP), which recently updated their policy to specifically exclude library materials challenges from coverage. Because the Boise Public Library is not insured by ICRMP, ICRMP's policy update does not affect the Boise Public Library's insurance coverage.

#### *City of Boise FY25 Budget Build*

The Library continues to engage with the City of Boise's FY25 Budget Build process. The Council Budget Workshop will be held on Tuesday, May 21<sup>st</sup> and can be accessed here: [May Council Strategic Planning Session](#). In June the FY25 budget will be presented to the Board of Trustees for approval.

An overview of the FY25 Budget Build process and timeline can be found on page 11.

#### *Website Platform Upgrade Update*

The launch to the public of the new Library website went as scheduled the evening of April 1<sup>st</sup>. The platform is stable and early feedback from the public has been positive.

### *Downtown Library Parking Lot*

Beginning Monday, May 6<sup>th</sup> parking lot repairs will begin at the Downtown Library. The project will patch current potholes and resurface the lot to create a smooth, safe experience. New lines will be painted for better visibility. The project will be completed in phases, ensuring that two-thirds of the lot will remain open at any given point. That said, parking availability will be limited during construction. We encourage alternative transportation options and appreciate everyone's patience and understanding as we enhance the accessibility of our facility. We continue to provide updates on all construction on our website:

[Downtown Library | Boise Public Library](#)

### *Upcoming Events*

The Boise Public Library, Ada Community Libraries, and over twenty different organizations will launch the [Summer Reading & Learning Celebration](#). The event will feature story times, music, mascots, crafts and more. Saturday, May 18<sup>th</sup> from 10am to 2pm at Jack's Urban Meeting Place.

## Administration and Management Reports:

### **Programming**

- Information Services staff hosted a [City Nature Challenge](#) Nature Walk along with staff from Parks and Recreation.
- All locations hosted Community Helpers Storytimes, with visits from the Boise Police Department, Boise Fire Department, the United States Postal Service, and the United States Forest Service. Children had the opportunity to learn about how each of these groups serve our community. After a story read by our community helpers, children were able to explore their unique vehicles and make a craft.
- The Library! at Collister welcomed author Stephen Towles for an Afternoon Soiree. He shared his journeys on the Camino de Santiago, based on his recent book, *Heaven is Walking the Camino de Santiago*.
- Writer in Residence, Heidi Kraay, kicked off the first in her series *Refilling Your Creative Well* at the Downtown Library. Designed for writers and artists across disciplines, participants explored new pathways for refilling their creative wells, renewing artistic energy, and reawakening their wild spirits within.

### **Staff Development**

- Information Services staff attended a discussion on ["Big Reads Best Practices"](#) through the Urban Libraries Council.
- Staff from the Library! at Bown Crossing attended trainings on a variety of topics, including *Accessibility in Library Collections*.

### **Community Partners**

- The Library! at Hillcrest collaborated with St. Vincent De Paul's [Reentry Program](#), donating adult clothing after the Free Swap (April 26-27). This program provides clothing for people who are newly released from prison.
- The [Boise Bicycle Project](#) and [WCA](#) joined Community Resource Porch Pop-Ups.
- In early April the Library, in partnership with Rediscovered Books, hosted a visit from children's book author Ben Clanton. Clanton is the creator of the New York Times bestselling Narwhal and Jelly series and the Tater Tales series. 204 attendees were able to enjoy Clanton's talk and live drawing session, and afterwards purchase books, meet with the author, and get their books signed.

- For our second annual Día de los Niños, a nationally recognized initiative that emphasizes the importance of literacy for all children of all linguistic and cultural backgrounds, we welcomed 150 people to the Downtown Library to celebrate. The event featured exhibitors sharing resources and books with kids, a food truck, a performance by local dance group Ballet Folklórico, and storytimes. Día is a collaboration between Boise Public Library, the Idaho Commission for Libraries, KISS FM, and the Idaho Commission on Hispanic Affairs.

## Communications

Monthly Email Newsletter: [April](#)

- Sent Tues, April 2 at 10:00 AM, 8,418 successful deliveries
- Open Rate 53.5% (4,503) / Click Rate 5.6% (474)

Ultimate Book Nerd Newsletter: [April](#)

- Sent Thursday, April 18 at 4:30PM, 847 recipients
- Open Rate 71.8% (608) / Click Rate 6% (51)

This was the first month using Patron Point as our email provider for the monthly emails and I am pleased to say that numbers either increased or remained steady. Our UBN newsletter received higher open and click rates than average. I will watch to see if there are trends as the year goes on.

Social Media

- In April, we posted about: The new website launch, STEAM programs, [Día de los Niños](#), and did a week long [National Library Week](#) video series.
- In May we plan to post about: Ribbon of Jewels park tour, Summer Reading and Learning Celebration, Summer reading kickoff events, Mayor's Monarch Pledge, and BCAF LE day.

# MAIN LIBRARY MRM & CAPITAL IMPROVEMENTS

## PROJECT STATUS REPORT

Project Start Date:	Summer 2022	Estimated Finish Date:	Ongoing
Project Manager:	Lindsay Erb	Department:	Library

**PROJECT STATUS:**

Period Covered:	April 2024
Project Summary	After a condition assessment evaluation completed in the of summer 2020 it was found that there are numerous major repair and maintenance items that need to be addressed to give the Main Library another 10+ years of life, along with space reconfigurations to better serve the public. This work will consist of a program of projects to occur over the next several years based on project prioritization and budget.
Bid Package Updates	<p><b><u>Roof Replacement</u></b></p> <ul style="list-style-type: none"> <li>✓ Project Scope: Includes both upper and lower portions.</li> </ul> <p>Status:</p> <ul style="list-style-type: none"> <li>• Roofing work is completed.</li> <li>• Per City request, lighting upgrades will be completed along the parapet for security purposes. This work is estimated to begin early May.</li> </ul> <p><b><u>Restroom Renovations</u></b></p> <ul style="list-style-type: none"> <li>✓ Project Scope: Includes four story portion only for restroom renovations, plumbing line replacement and fire pump replacement</li> </ul> <p>Status:</p> <ul style="list-style-type: none"> <li>• 1<sup>st</sup> floor restroom renovations are complete.</li> <li>• 2<sup>nd</sup> floor restroom construction is complete.             <ul style="list-style-type: none"> <li>○ Punchlist items in progress</li> <li>○ Per City request, change in wall framing and door swing is needed for added privacy in men's restroom, this work will be completed once 3<sup>rd</sup> floor restroom is finished.</li> </ul> </li> <li>• 3<sup>rd</sup> floor restroom construction is in progress with estimated completion early June.</li> <li>• 4<sup>th</sup> floor restrooms will follow sequentially with estimated final completion early August.</li> <li>• Fire pump replacement is complete and commissioning report follow-up items in progress.</li> </ul> <p><b><u>Partial 1<sup>st</sup> &amp; 4<sup>th</sup> Floor Renovations</u></b></p> <ul style="list-style-type: none"> <li>✓ Project Scope: First floor includes new office for Health Coordinator and bookstore area on the 1<sup>st</sup> floor.</li> <li>✓ Fourth floor includes reconfiguring &amp; constructing new offices for new ATS area, breakroom, IT space, Friends storage, maintenance office, Youth Services storage along with new mechanical HVAC system.</li> </ul> <p>Status:</p> <ul style="list-style-type: none"> <li>• 4<sup>th</sup> floor construction in progress with an estimated final completion for mid-June.             <ul style="list-style-type: none"> <li>○ Potential delay for move-in due to 4<sup>th</sup> floor ceiling and header adjustments requested by City</li> </ul> </li> </ul>

- 1<sup>st</sup> floor demo estimated to begin mid-July with a final completion date for late September.
- Allowing one month for staff to coordinate move-out between phases.

### **1<sup>st</sup> Floor Renovations**

- ✓ Project Scope: Includes 1 story portion of building only which includes renovations to information desk, Hayes auditorium and youth services areas.

#### Status:

- Schematic design is complete.
- City is reviewing construction estimate to confirm what can be completed next fiscal year & identifying value engineering/ design changes to save on costs.
- Design development phase kick-off planned for mid-May once City gets contract executed with architect.

### **Misc. projects:**

#### Parking lot repairs:

- ✓ Project Scope: Includes main parking area (east side) and south side parking area.

#### Status:

- GMP approved by Council on 4/30
- Start date anticipated for 5/6 with mid-June completion & will be completed in 3 phases
- Alternative parking options being coordinated by Library.

#### Brick repairs:

- ✓ Project Scope: Repair exterior cracks in mortar

#### Status:

- Plans are being finalized.
- This work would likely be completed after parking lot repairs are complete if bids come within budget.

#### Stairwell Railing

- ✓ Project Scope: Renovate existing staircase handrails and guards between all floors on both east and west sides of the building. Main center stair railing will hold until 1<sup>st</sup> floor work.

#### Status:

- GMP approved by Council on 3/26.
- Estimated to begin work mid-May.
  - Shop drawings under review.



Overall Project Health	<p><u>Summary:</u> For fiscal year 2024, we have budget to cover the 4<sup>th</sup> floor renovations and new office for Health Coordinator and bookstore area on the 1<sup>st</sup> floor, continuation of the restroom renovations project, exit stair railing replacement and parking lot repairs. Envelope repairs are anticipated to be completed as well depending on what bids come in at.</p> <p>The project program will continue to be reviewed by Public Works and Library to determine sequence and timing for the remainder of the projects.</p>
Highlights	The roofing renovations are completed along with the 1 <sup>st</sup> & 2 <sup>nd</sup> floor restrooms. Construction work on the 4 <sup>th</sup> floor for space reconfiguration is in progress along with the 3 <sup>rd</sup> floor restrooms.

**PROJECT COMPONENTS:**

Component	Notes
Scope	Public Works is continuing to review the program of projects to determine proper prioritization based on the information provided in the condition assessment report, efficiencies, and budget.
Budget	The budget will continue to be monitored as we receive estimates and bids to determine the work that can be completed this fiscal year. We have City contingency set aside for each project to ensure we have funding for any potential change orders during construction.
Schedule	Any project specific schedule delays will be noted in the bid package updates section.
Risks	Construction market challenges, including finding multiple bidders and pricing.
Resources	

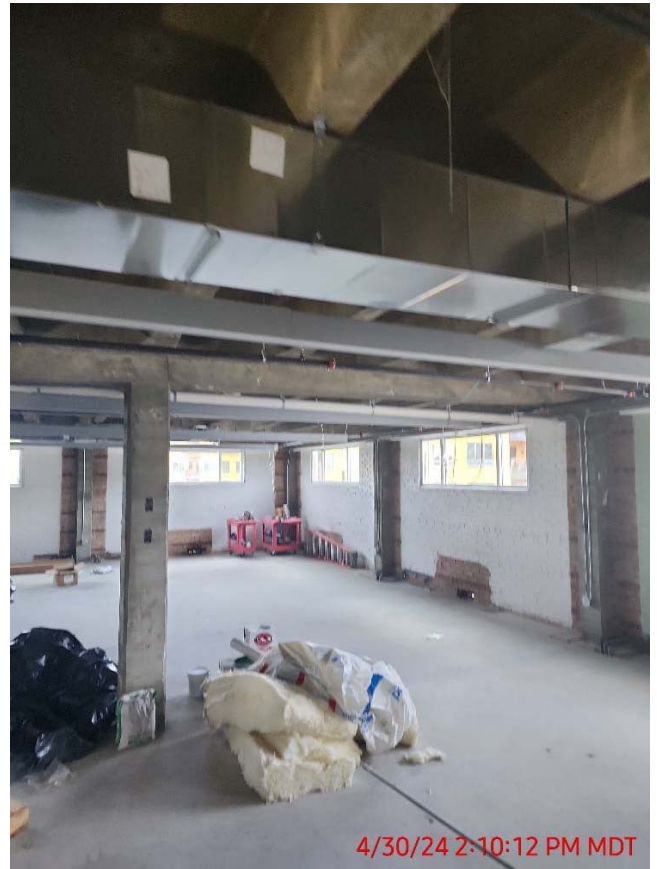
**SCOPE MANAGEMENT:**

Status	Discussion
Accomplished	<ul style="list-style-type: none"> <li>• Storage room wall and flooring demo on 4<sup>th</sup> floor to allow for extra storage space</li> <li>• Auto sorter room construction complete &amp; operational</li> <li>• Roof replacement</li> <li>• 1<sup>st</sup> floor restrooms</li> <li>• 2<sup>nd</sup> floor restrooms</li> <li>• Visioning work to establish alignment for interior design materials &amp; finishes</li> </ul>
Planned	<ul style="list-style-type: none"> <li>• Restroom/ plumbing construction work (3<sup>rd</sup> &amp; 4<sup>th</sup> floors remaining).</li> <li>• 4<sup>th</sup> &amp; partial 1<sup>st</sup> floor remodel in progress.</li> <li>• East and West exit stair railing replacement.</li> <li>• Parking lot repair work to begin in May</li> <li>• Design services for 1<sup>st</sup> floor renovations</li> </ul>

3<sup>rd</sup> Floor Restrooms – week of 4/29



4<sup>th</sup> Floor Construction – week of 4/29



# FY25 BUDGET UPDATE

## Overview

Through its annual budget process, the Boise Public Library as part of the City of Boise builds a balanced budget. Through the process city departments work to ensure funding for the next fiscal year aligns with strategic priorities and provides impact to the community. The annual budget process does not reset the entire budget for the Library. Instead, the exercise ensures sufficient funds are available to support planned/ongoing costs, analyzes and adjusts costs for ongoing services, and resolves differences between anticipated revenues and expenses.

## Budget Milestones and Timeline

Date	Step
Feb 22	FY25 Budget discussions begin with department Level-set meeting
Apr 10	Library Board of Trustees overview of budget process timeline
Apr 10	<a href="#">Budget website</a> available for comments on community priorities
May 21	City Council budget workshop #1
Jun 12	Library Board of Trustees reviews for approval Library budget for FY25
Jun 14	Budget Document Released
Jun 25	City Council budget workshop #2
Jul 16	Public Hearing on FY25 Budget
Aug 27	Budget Adoption
Oct 1	FY25 begins

## City Priorities

As budget requests are considered by the Mayor’s Office, the following “priority waterfall” will be utilized:

- **Priority 1:** Non-Discretionary and cost-neutral items
- **Priority 2:** Benefit/compensations adjustments for existing staff necessary to recruit/retain a high-performing workforce
- **Priority 3:** Funds to support citywide strategic initiatives
- **Priority 4:** Discretionary 1X items
- **Priority 5:** Base FTE and M&O increases that cannot be supported through the reallocation of existing resources or new revenue

## Information to be included in the June FY25 budget discussion

- Budget Office General Guidelines
- Library Priorities and FY25 Requests
- Other General Fund Trends



IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 710, As Amended in the Senate

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO MINORS; AMENDING SECTION 18-1514, IDAHO CODE, TO REVISE A DEF-  
2 INITIATION, TO DEFINE A TERM, AND TO MAKE A TECHNICAL CORRECTION; AMEND-  
3 ING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
4 18-1517B, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROHIBIT CERTAIN MA-  
5 TERIALS FROM BEING PROMOTED, GIVEN, OR MADE AVAILABLE TO A MINOR BY A  
6 SCHOOL OR PUBLIC LIBRARY, TO PROVIDE FOR A CAUSE OF ACTION, TO PROVIDE  
7 FOR DAMAGES, TO PROVIDE FOR INJUNCTIVE RELIEF, TO PROVIDE FOR AFFIRMA-  
8 TIVE DEFENSES, TO PROVIDE FOR A FORM ALLOWING A PERSON TO REQUEST REVIEW  
9 OF MATERIAL THE PERSON CONSIDERS TO BE HARMFUL TO MINORS, AND TO PROVIDE  
10 FOR HOW AN ACTION MAY BE BROUGHT; AND DECLARING AN EMERGENCY AND PROVID-  
11 ING AN EFFECTIVE DATE.  
12

13 Be It Enacted by the Legislature of the State of Idaho:

14 SECTION 1. That Section 18-1514, Idaho Code, be, and the same is hereby  
15 amended to read as follows:

16 18-1514. OBSCENE MATERIALS -- DEFINITIONS. The following definitions  
17 are applicable to this act:

18 1. "Minor" means any person less than eighteen (18) years of age.

19 2. "Nudity" means the showing of the human male or female genitals, pu-  
20 blic area or buttocks with less than a full opaque covering, or the showing  
21 of the female breast with less than a full opaque covering of any portion  
22 thereof below the top of the nipple, or the depiction of covered male geni-  
23 tals in a discernibly turgid state.

24 3. "Sexual conduct" means any act of masturbation, homosexuality, sex-  
25 ual intercourse, or physical contact with a person's clothed or unclothed  
26 genitals, pubic area, buttocks or, if such person be a female, the breast.

27 4. "Sexual excitement" means the condition of human male or female gen-  
28 itals when in a state of sexual stimulation or arousal.

29 5. "Sado-masochistic abuse" means flagellation or torture by or upon a  
30 person who is nude or clad in undergarments, a mask or bizarre costume, or the  
31 condition of being fettered, bound or otherwise physically restrained on the  
32 part of one who is nude or so clothed.

33 6. "Harmful to minors" includes in its meaning ~~one or both of the fol-~~  
34 ~~lowing:~~

35 ~~(a) The the~~ quality of any material or of any performance or of any de-  
36 scription or representation, in whatever form, of nudity, sexual con-  
37 duct, sexual excitement, or sado-masochistic abuse, when it:

38 ~~(1) (a) appeals~~ Appeals to the prurient interest of minors as judged by  
39 the average person, applying contemporary community standards; and

40 ~~(2) (b) depicts~~ Depicts or describes representations or descriptions  
41 of nudity, sexual conduct, sexual excitement, or sado-masochistic  
42 abuse which are patently offensive to prevailing standards in the adult

1 community with respect to what is suitable material for minors and in-  
2 cludes, but is not limited to, patently offensive representations or  
3 descriptions of:

4 (i) ~~intimate~~ Intimate sexual acts, normal or perverted, actual or  
5 simulated; or

6 (ii) ~~masturbation,~~ Masturbation, excretory functions or lewd  
7 exhibition of the genitals or genital area. Nothing herein con-  
8 tained is intended to include or proscribe any matter which, when  
9 considered as a whole, and in context in which it is used, pos-  
10 sesses serious literary, artistic, political or scientific value  
11 for minors, ~~according to prevailing standards in the adult commu-~~  
12 ~~nity, with respect to what is suitable for minors.~~

13 ~~(b) The quality of any material or of any performance, or of any de-~~  
14 ~~scription or representation, in whatever form, which, as a whole, has~~  
15 ~~the dominant effect of substantially arousing sexual desires in persons~~  
16 ~~under the age of eighteen (18) years.~~

17 7. "Material" means anything tangible which is harmful to minors,  
18 whether derived through the medium of reading, observation or sound.

19 8. "Performance" means any play, motion picture, dance or other exhibi-  
20 tion performed before an audience.

21 9. "Promote" means to manufacture, issue, sell, give, provide, de-  
22 liver, publish, distribute, circulate, disseminate, present, exhibit or  
23 advertise, or to offer or agree to do the same.

24 10. "Knowingly" means having general knowledge of, or reason to know, or  
25 a belief or reasonable ground for belief ~~which~~ that warrants further inspec-  
26 tion or inquiry.

27 11. "School" means any public or private school providing instruction  
28 for students in kindergarten through grade 12.

29 SECTION 2. That Chapter 15, Title 18, Idaho Code, be, and the same is  
30 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
31 ignated as Section 18-1517B, Idaho Code, and to read as follows:

32 18-1517B. CHILDREN'S SCHOOL AND LIBRARY PROTECTION. (1) This section  
33 shall be known and may be cited as the "Children's School and Library Protec-  
34 tion Act."

35 (2) Notwithstanding any other provision of law, a school or public li-  
36 brary, or an agent thereof, shall not promote, give, or make available to a  
37 minor:

38 (a) Any picture, photograph, drawing, sculpture, motion picture film,  
39 or similar visual representation or image of a person or portion of the  
40 human body that depicts nudity, sexual conduct, or sado-masochistic  
41 abuse and that is harmful to minors;

42 (b) Any book, pamphlet, magazine, printed matter however reproduced,  
43 or sound recording that contains any matter pursuant to paragraph (a) of  
44 this subsection or explicit and detailed verbal descriptions or narra-  
45 tive accounts of sexual excitement, sexual conduct, or sado-masochis-  
46 tic abuse and that, taken as a whole, is harmful to minors; or

47 (c) Any other material harmful to minors.

48 (3) Any minor who obtains material, or parent or legal guardian whose  
49 child obtained material, in violation of the provisions of subsection (2)

1 of this section from a school or public library shall have a cause of action  
2 against such institution if:

3 (a) The institution gave or made available material harmful to minors,  
4 or the institution failed to take reasonable steps to restrict access by  
5 minors to material harmful to minors;

6 (b) Prior to the filing of a cause of action, the minor, parent, or le-  
7 gal guardian has provided written notice to the school or public library  
8 asking for the relocation of such material to a section designated for  
9 adults only within sixty (60) days of receipt of the written notice; and

10 (c) Upon receipt of written notice and subsequent to the expiration of  
11 sixty (60) days, the institution's library board or board of trustees  
12 failed to relocate the material harmful to minors to an area with adult  
13 access only.

14 (4) Any minor, parent, or legal guardian who prevails in an action  
15 brought under this section may recover two hundred fifty dollars (\$250) in  
16 statutory damages as well as actual damages and any other relief available  
17 by law, including but not limited to injunctive relief sufficient to prevent  
18 the defendant school or public library from violating the requirements of  
19 this section.

20 (5) A county prosecuting attorney or the attorney general shall have a  
21 cause of action for injunctive relief against any school or public library  
22 that violates the provisions of subsection (2) of this section. The injunc-  
23 tion shall be sufficient to prevent the defendant school or public library  
24 from violating the requirements of this section.

25 (6) It shall be an affirmative defense to civil liability under this  
26 section that the defendant:

27 (a) Had reasonable cause to believe that the minor involved was eigh-  
28 teen (18) years of age or older or such minor exhibited to the defendant  
29 a draft card, driver's license, birth certificate, or other official or  
30 apparently official document purporting to establish that the minor was  
31 eighteen (18) years of age or older; or

32 (b) Verified the minor involved was accompanied, at the time of the act,  
33 by his parent or legal guardian, or by another adult and the adult rep-  
34 resented that he was the minor's parent or legal guardian and signed a  
35 written statement to that effect.

36 (7) Each school and public library shall have a policy and readily ac-  
37 cessible form allowing a person to request review of material the person con-  
38 siders to be harmful to minors. Such form shall contain the definition of  
39 "harmful to minors," as provided in section 18-1514, Idaho Code.

40 (8) Any action brought pursuant to this section by or on behalf of a mi-  
41 nor shall be in accordance with the provisions of chapter 9, title 6, Idaho  
42 Code, section 5-306, Idaho Code, and rule 17 of the Idaho rules of civil pro-  
43 cedure.

44 SECTION 3. An emergency existing therefor, which emergency is hereby  
45 declared to exist, this act shall be in full force and effect on and after  
46 July 1, 2024.



**BRAD LITTLE**  
GOVERNOR

April 10, 2024

The Honorable Mike Moyle  
Speaker of the House  
Idaho House of Representatives  
Hand Delivered

Dear Speaker Moyle,

I hereby advise you that I have signed on April 10, 2024, and transmitted to the Office of the Secretary of State, with my approval, the following House bill, to wit:

House Bill 710aaS

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 10:17 a.m. on April 4, 2024.

Like public schools, libraries are places where the community gathers to learn and connect. This is especially true in rural Idaho where the local schools and libraries have become hubs of community activity. For children, libraries open doors to reading and intellectual exploration, helping them to become lifelong learners. It's no wonder the vast majority of Idahoans say they value libraries and trust librarians. I, too, am a strong supporter of public libraries.

Last year, I vetoed a bill that would have created a library bounty system so egregious that smaller libraries would have been forced to close their doors to minors altogether. The bill would have significantly increased costs and liabilities for libraries, particularly in rural Idaho, and the costs would have been forced onto property taxpayers. The library bill the Legislature passed last year was a non-starter for me, especially because one of my top priorities is literacy and libraries play such a crucial role in helping our youngsters to read early on.

After vetoing last year's library bill, I told the sponsors my specific issues with it. In response, House Bill 710aaS this year addresses most, but not all, of the concerns I outlined in my veto letter last year. Primarily, this bill reduces damages from \$2,500 to \$250, and it allows a fair opportunity for local libraries to avoid legal action and fees if they address materials of concern within 60 days. Compared to last year's legislation, House Bill 710aaS also tightens the



definition of what is considered “harmful to minors,” providing greater clarity for local libraries and their patrons.

I share the cosponsors’ desire to keep truly inappropriate library materials out of the hands of minors. That said, I still believe a greater harm confronts our children – content accessible to them on their phones and devices. I was pleased to sign House Bill 498 this session requiring age verification on pornography web sites, and while we have much more to do to truly protect our children, House Bill 498 was a good start. However, I was disappointed the Legislature passed up an opportunity to advance meaningful legislation to truly protect children from the harms of social media, as I called on this body to do during my State of the State and Budget Address in January.

While I have signed House Bill 710aaS, like many Idahoans, I will be watching the implementation and outcomes of this legislation very closely.

Sincerely,



Brad Little  
Governor of Idaho

# Boise Public Library

## Policy Review May 8, 2024

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Policy items reviewed and presented are as follows:

SECTION 5.00, *Collection Development & Maintenance*

- Policy 5.02, Reconsideration of Materials (current)
- Exhibit 5.02a, Request for Reconsideration of Library Materials (current)
- Policy 5.02, Reconsideration of Materials (updated)
- Exhibit 5.02a, Request for Reconsideration of Library Materials (updated)

*Staff Recommendations:*

Section 5.00, *Collection Development & Maintenance* of the Boise Public Library Policy Manual is presented to the Library Board for review. Recommended changes to Policy 5.02, Reconsideration of Materials, are included.

A motion to approve the recommended changes will be requested.

Recommended changes to exhibit 5.02a, Request for Reconsideration of Library Materials, are also included. Exhibit changes do not require the Board's approval and are included for information purposes only.

## Policy Summary

During the May meeting Trustees will consider two documents:

- 5.02 Reconsideration of Materials Policy
  - A motion to approve this updated policy will be requested.
- 5.02a Request for Reconsideration of Library Materials Form Exhibit
  - Exhibit changes do not require the Board's approval and are included for information purposes.

Usually when we bring policy documents to the Board for updates, we provide a redline version which highlights our suggested changes. The changes to these documents required to implement House Bill 710aaS, the "Children's School and Library Protection Act" were so significant that a redline version was impossible and we are providing you with two entirely new versions of the policy documents. We have also provided the current versions for reference.

Documents are included in the following pages:

Current approved versions <ul style="list-style-type: none"><li>• 5.02 Reconsideration of Materials Policy</li><li>• 5.02a Request for Reconsideration of Library Materials Form Exhibit</li></ul>	Pages <ul style="list-style-type: none"><li>• [Pages 19-20]</li><li>• [pages 21-23]</li></ul>
Updated versions for discussion <ul style="list-style-type: none"><li>• 5.02 Reconsideration of Materials Policy</li><li>• 5.02a Request for Reconsideration of Library Materials Form Exhibit</li></ul>	Pages <ul style="list-style-type: none"><li>• [Pages 24-29]</li><li>• [pages 30-35]</li></ul>

Document	Policy
Type: Number:	5.02
Effective:	03-01-2011
Revised:	12-13-2023
Last Reviewed:	12-13-2023

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## RECONSIDERATION OF MATERIALS

The Boise Public Library will review materials in its collection upon receipt of a Request for Reconsideration of Library Materials form (Exhibit 5.02a) filled out and submitted by a Boise resident with a current Boise Public Library card.

Boise Public Library is a member of the Lynx Library Consortium. As part of the Lynx Library Consortium, Boise Public Library shares and receives materials from other member libraries. Boise Public Library only processes Requests for Reconsideration of Library Materials for materials owned by the Boise Public Library.

When a complete and valid Request for Reconsideration of Library Materials form (Exhibit 5.02a) (hereinafter a “Request”) is filed, the Library will begin its reconsideration process. This process consists of the following steps:

1. Staff will review the Request, the materials requested for reconsideration, and Section 5.00 of the Boise Public Library Policy Manual. Staff may gather additional materials it deems relevant to its review. Staff shall include reference to all materials used to form its decision in the written Staff decision. Materials referenced in Staff’s decision shall become part of the record for review in the appeals that follow. Staff will communicate its decision to the resident in writing within 30 business days from receipt of the complete and valid Request for Reconsideration of Library Materials.
2. The resident may submit a written request for Director review within 21 days of receiving the written Staff decision. The written request for Director review shall state the reasons the resident disagrees with the Staff decision. The Director will review the material in question, the Staff decision, the Request, the written request for Director review, all materials referenced by Staff in the Staff decision, and relevant statutes, caselaw, and legal materials. The Director will conduct an independent review of Staff’s decision. The Director will review the record as described above and will communicate his or her decision to the resident in writing within 30 business days of receiving a timely request for Director review.
3. The resident may appeal the Director's decision to the Boise Public Library Board of Trustees by submitting a written request for Board review within 21 days of receiving the Director’s final written decision. The request for Board review shall state the reasons why the resident disagrees with the Director’s decision. The Board will review the material in question, the request for Board

review, the Director's decision, and all materials in the record relied on by the Director. The Board will ensure the Director's decision is based on substantial evidence in the record, is not arbitrary, capricious, or an abuse of discretion, and does not violate the state or federal Constitution. The Board may employ whatever public processes it deems necessary and appropriate to fully develop the record to make its decision including public hearing, hearing from the resident, staff, and/or the Director, remand to Staff to further develop the record, remand to the Director for further consideration, or other such processes not in conflict with Idaho law. The final written decision of the Board will be communicated to the resident and will be final.

In reviewing Requests, Staff, the Director, and the Board will ensure the request and appeals follow the procedures and timelines listed in this Policy 5.02, will review each work as a whole and individual passages will not be treated out of context, and will apply the standards found in this Section 5.00 of the Boise Public Library Policy Manual.

Document Type:	Exhibit
Number:	5.02a
Effective:	03-01-2011
Revised:	12-13-2023
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### REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS FORM

To request the Boise Public Library reconsider the inclusion of materials in its collection—or the location of materials in its collection—a Boise resident with a current Boise Public Library card may fill out this form and return it to the circulation desk at any Boise Public Library location. Or, this form can be submitted by mail to:

Boise Public Library  
ATTN: Acquisitions Manager  
715 S. Capitol Blvd.  
Boise, ID 83702

Boise Public Library is a member of the Lynx Library Consortium. As part of the Lynx Library Consortium, Boise Public Library shares and receives materials from other member libraries. Boise Public Library only processes Requests for Reconsideration of Library Materials for materials owned by the Boise Public Library.

Upon receipt of this Request for Reconsideration of Library Materials form filled out and submitted by a Boise resident library cardholder for the reconsideration of materials in the Boise Public Library collection (hereinafter a “Request”), the Boise Public Library will begin its review of the materials.

The reconsideration process consists of the following steps:

1. Staff will review the Request, the materials requested for reconsideration, and Section 5.00 of the Boise Public Library Policy Manual. Staff may gather additional materials it deems relevant to its review. Staff shall include reference to all materials used to form its decision in the written Staff decision. Materials referenced in Staff’s decision shall become part of the record for review in the appeals that follow. Staff will communicate its decision to the resident in writing within 30 business days from receipt of the complete and valid Request for Reconsideration of Library Materials.
2. The resident may submit a written request for Director review within 21 days of receiving the written Staff decision. The written request for Director review shall state the reasons the resident disagrees with the Staff decision. The Director will review the material in question, the Staff decision, the Request, the written request for Director review, all materials referenced by Staff in the Staff decision, and relevant statutes, caselaw, and legal materials. The Director will conduct an independent review of Staff’s decision. The Director will review the record as

described above and will communicate his or her decision to the resident in writing within 30 business days of receiving a timely request for Director review.

3. The resident may appeal the Director’s decision to the Boise Public Library Board of Trustees by submitting a written request for Board review within 21 days of receiving the Director’s final written decision. The request for Board review shall state the reasons why the resident disagrees with the Director’s decision. The Board will review the material in question, the request for Board review, the Director’s decision, and all materials in the record relied on by the Director. The Board will ensure the Director’s decision is based on substantial evidence in the record, is not arbitrary, capricious, or an abuse of discretion, and does not violate the state or federal Constitution. The Board may employ whatever public processes it deems necessary and appropriate to fully develop the record to make its decision including public hearing, hearing from the resident, staff, and/or the Director, remand to Staff to further develop the record, remand to the Director for further consideration, or other such processes not in conflict with Idaho law. The final written decision of the Board will be communicated to the resident and will be final.

Please fill out the following information as completely and accurately as possible. The information you provide will be an important part of the library’s review of the materials. If you need additional space to answer the questions, you may attach additional pages.

TITLE \_\_\_\_\_

AUTHOR/PERFORMER \_\_\_\_\_

PUBLISHER/COPYRIGHT DATE \_\_\_\_\_

ITEM BARCODE \_\_\_\_\_

Request initiated by \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_

Email address \_\_\_\_\_

Library Card number \_\_\_\_\_

Do you represent:

- \_\_\_\_\_ Yourself
- \_\_\_\_\_ An Organization (name) \_\_\_\_\_
- \_\_\_\_\_ Other group (name) \_\_\_\_\_

1. To what in the material do you object? Why do you object? (Please be specific; for example, cite pages and specific passages.)

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

2. Did you read, view or listen to the entire work? \_\_\_\_\_ If not, what parts did you read, view or listen to? \_\_\_\_\_

\_\_\_\_\_

3. What do you feel would be the result of reading, viewing, or listening to this material?

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

4. What parts of the work do you think are accurate and valuable? \_\_\_\_\_

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

5. What do you believe the theme of this work to be? \_\_\_\_\_

\_\_\_\_\_

6. Are you aware of judgments of this work by professional critics? \_\_\_\_\_

\_\_\_\_\_

7. For what age group would you recommend this work? \_\_\_\_\_

\_\_\_\_\_

8. What action are you requesting the library take in regard to this work? \_\_\_\_\_

\_\_\_\_\_

Signature

Date

By signing this form I attest that I am a Boise resident and a Boise Public Library cardholder and I understand that I am making a formal complaint to the Boise Public Library about an item available for checkout. I acknowledge that this document will become a public record as soon as it is received by Library staff. I understand that to complete the process I must follow the above-mentioned steps in the timeline stated.



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Number:	5.02
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## RECONSIDERATION OF MATERIALS

The Boise Public Library is committed to upholding the rights of library users to freely access quality materials that inform, educate, enlighten, and encourage critical thinking. Boise Public Library’s Collection Development and Maintenance Policy 5.01, the Library Bill of Rights Exhibit 5.01a, the Freedom to Read Statement Exhibit 5.01b, and the Nature and Quality of Materials Regulation 5.01c all embody this commitment.

Only narrowly defined categories of speech are not protected by the First Amendment. For example, obscenity is not protected speech, and neither is “material harmful to minors,” which is a subset of obscenity. If materials do not meet one of the narrowly defined categories of unprotected speech, they are speech protected by the First Amendment.

In April 2024, the Idaho legislature passed House Bill 710, which established Idaho Code § 18-1517B, which refers to itself as the “Children’s School and Library Protection Act.” The Act provides a private cause of action for any parent or legal guardian of a minor to sue the library if the minor obtains material from the library that the minor, parent, or legal guardian considers to be “material harmful to minors.” Additionally, the Act provides an opportunity for the Idaho Attorney General or county prosecuting attorneys to sue libraries if they make available “material harmful to minors.”

The Boise Public Library and libraries across the state of Idaho have steadfastly maintained that they do not have materials in their collections that are harmful to minors. Libraries seek to provide educational, informational, and recreational resources to kids and adults that help them better understand themselves and the world, not to cause harm.

The “Children’s School and Library Protection Act” asks libraries to restrict access to materials based on the complaint of a single person despite the Constitutional analysis applying community and reasonable person standards to determine whether the material really is harmful to minors. While the “Children’s School and Library Protection Act” asks libraries to restrict access to materials based on a single complaint, the library must also comply with First Amendment requirements. In addition to the community and reasonable person standards, the First Amendment strongly disfavors government discrimination of materials based on content or viewpoint.

The burden is on the censor to prove that specific material meets the definition of “material harmful to minors.” The Library Board will fairly and impartially adjudicate claims that materials in the collection meet the statutory definition of “material harmful to minors” but will apply the statutory definition closely to ensure access to protected speech is not

illegitimately restricted. Adequate procedural safeguards, including judicial determinations, are necessary to ensure protected speech is not infringed.

The Boise Public Library is very mindful of First Amendment rights to free speech guaranteed to persons in the United States of America, including the right to access information. The Boise Public Library acknowledges and appreciates the fundamental role this right plays in upholding the democratic system of government in America by helping to inform and provide critical thinking skills to the electorate, and to educate minors that are yet to reach voting age but must be informed and capable of critical thinking when they reach voting age.

With the foregoing in mind, this policy details who can request the reconsideration of materials the Boise Public Library makes available, the options for doing so, and the procedures the Library Board will take to review such requests. In addition to requests for reconsideration of materials based on the allegation that such materials are harmful to minors, library users may submit a request for reconsideration of materials that they do not believe meet the criteria in the Library Collection Development and Maintenance Policy for other reasons as well.

- a. Definitions. The following terms, as used in this policy, have the following definitions.
  - i. Library Board – The Boise Public Library Board of Trustees as established and defined by Idaho Code Title 33, Chapter 26 and Boise City Code Title 2, Chapter 7.
  - ii. Material – As defined in Idaho Code § 18-1514(7) means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.
  - iii. Material Harmful to Minors – As defined in Idaho Code § 18-1514(6) and read in conjunction with U.S. Supreme Court caselaw, means material that contains nudity, sexual conduct, sexual excitement, or sado-masochistic abuse that a) appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; b) depicts or describes nudity, sexual conduct, sexual excitement, or sado-masochistic abuse that is patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors including patently offensive representations or descriptions of intimate sexual acts, normal or perverted, actual or simulated or masturbation, excretory functions or lewd exhibition of the genitals or genital area; and c) when considered as a whole, and in context in which it is used, does not possess serious literary, artistic, political or scientific value for a legitimate minority of normal, older minors. “Nudity,” “sexual conduct,” “sexual excitement,” and “sado-masochistic abuse” as used herein are as defined in Idaho Code § 18-1514.
  - iv. Prurient Interest – As defined by the U.S. Supreme Court, prurient interest means a shameful or morbid interest in nudity, sex, or excretion, and goes substantially beyond customary limits of candor in description or representation of such matters, and does not include a normal, healthy interest in sex.

- v. Request for Reconsideration of Materials – A request for the Library Board to reconsider whether material in the Boise Public Library collection meets the standards of the Collection Development and Maintenance Policy 5.01 and related exhibits and regulations or whether the material meets the definition of Material Harmful to Minors. The request should be made using the form available as Exhibit 5.02. Any person may submit a Request for Reconsideration of Materials.
  - vi. Written Notice – No specific form is required, but the notice must be in writing and must request the relocation of material the complainant considers to be Material Harmful to Minors to a section designated for adults only within sixty (60) days of the library’s receipt of the written notice. Completing and submitting Sections 1 and 2 of Exhibit 5.02 will constitute Written Notice, but use of Exhibit 5.02 is not required. Only a minor who obtained Material Harmful to Minors from the Boise Public Library or their parent or legal guardian can submit a Written Notice.
- b. Procedure for submitting a Request for Reconsideration of Materials or a Written Notice.
- i. The Request for Reconsideration of Materials form will be available at each Boise Public Library branch location and on the Boise Public Library’s website.
  - ii. A completed Request for Reconsideration of Materials or Written Notice can be submitted by the following means. Only one means of submission is required.
    - A. Physical mail to:  
  
Boise Public Library  
ATTN: Acquisitions Manager – Material Challenge  
715 S. Capitol Blvd.  
Boise, ID 83702
    - B. E-mail to:  
  
[materialchallenge@cityofboise.org](mailto:materialchallenge@cityofboise.org)
    - C. Facsimile to:  
  
1 (208) 384-4025
    - D. To submit in-person, the completed Request for Reconsideration of Materials or Written Notice can be given to a Library staff member at any service desk at all Boise Public Library locations.

iii. It is the responsibility of the person submitting the Written Notice or Request for Reconsideration of Materials to comply with all requirements of the “Children’s School and Library Protection Act,” the Idaho Tort Claims Act, and any other applicable laws or court rules to maintain their ability to seek judicial review.

c. Procedure for Library Board review of a Request for Reconsideration of Materials or a Written Notice.

Book challenges are time-consuming endeavors. The material must be considered as a whole and individual passages cannot be taken out of context. Supporting materials should also inform the analysis. Library Board deliberation must be done openly on the record at noticed meetings, which are additional time pressures that must be accommodated within the 60 day window provided by the “Children’s School and Library Protection Act.” Given the limited library resources available, and the potentially unlimited challenges authorized by the “Children’s School and Library Protection Act,” it may not be feasible for the Library Board to review all material challenges within 60 days of receipt of the challenge.

The Library Board will aim to respond to every challenge, but a complainant can appeal a Library Board decision regardless of how thoughtful or adequate the Library Board’s response is, and whether there is any Library Board decision at all. Further, the “Children’s School and Library Protection Act” does not direct judges to review or give the Library Board’s decision any deference. Given the review framework of the “Children’s School and Library Protection Act” and library resource constraints, the Board President, in consultation with the Library Board as practicable, shall prioritize responding to good faith requests that present potentially meritorious claims.

- i. All Library Board procedures to review a Request for Reconsideration of Materials or a Written Notice shall comply with all applicable provisions of the Idaho Public Records Act, Idaho Open Meetings Law, and all other applicable laws necessary to ensure a fair and open deliberative process and an impartial decision based on the evidence submitted.
- ii. If the Library Board does not issue a final written decision within sixty (60) days of receipt of a Request for Reconsideration of Materials or a Written Notice, the submission is denied.
- iii. The Library Board shall endeavor to issue a written decision within sixty (60) days of receipt of the submission explaining the Library Board’s rationale for approving or denying the submission.
  - A. The Library Director shall endeavor to submit a written response to the submission and a recommended Library Board decision within twenty-eight (28) days of receipt.

- B. The Library Board shall give the Library Director’s written response and recommended decision substantial deference.
- iv. The Library Board can adopt the Library Director’s written response and recommended decision as its own, with or without modification, or the Library Board can issue its own decision.
  - A. The Library Board shall always take the most narrowly tailored action necessary.
  - B. If the Library Board decides to remove material from the collection, or move the material to an adult access only area, or restrict access in any way, there is no right of appeal to the courts under the “Children’s School and Library Protection Act.” Being that the decision to censor materials is unappealable and the decision not to censor materials is appealable, the Library Board will exercise due restraint when limiting or removing access to materials.
- v. The Library Board President has discretion to:
  - A. determine whether and when to call a special meeting for the Library Board to deliberate on and decide, or adopt findings on, a Request for Reconsideration of Materials or a Written Notice.
  - B. determine whether additional procedures beyond the written filings specified herein are necessary to adequately review a Request for Reconsideration of Materials or a Written Notice, and if so, order such additional procedures.
    - i. Examples of additional procedures the Board President may require include oral presentations by the complainant and the Library Director, or public testimony.
  - C. determine the order of deliberation on any Request for Reconsideration of Materials or Written Notice and its placement on the Library Board agenda.
- vi. Library administration shall maintain a case file for each Request for Reconsideration of Materials or Written Notice submitted. The case file will be publicly available via the library’s website. The Boise Public Library will evaluate if any redactions to personal information contained in a written filing are required by Idaho law prior to making the document publicly available. The case file shall include, as applicable:
  - A. the Request for Reconsideration,
  - B. the Written Notice,

- C. the library director's written response and proposed Board decision,
- D. any public comments received on the submission within sixty (60) days of receipt of the submission,
- E. any adopted minutes of a meeting that reflect Library Board deliberation on the challenge, and
- F. any interim or final orders or decisions of the Library Board.

Document Type: Exhibit  
Number: 5.02a  
Effective: 03-01-11  
Revised: 05-08-2024  
Last Reviewed: 05-08-2024

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REQUEST FOR RECONSIDERATION OF MATERIALS FORM

This form can be used to request reconsideration of Materials the Boise Public Library makes available. If your request is made pursuant to Idaho Code § 18-1517B, the “Children’s School and Library Protection Act,” and you are alleging that the Material is Material Harmful to Minors, fill out and submit Section 1 and Section 2 of this form. Doing so will constitute the Written Notice required by Idaho Code § 18-1517B(3). If you are not alleging the Material is Material Harmful to Minors, you only need to fill out and submit Section 1.

A completed Request for Reconsideration of Materials or Written Notice can be submitted by the following means. Only one means of submission is required.

A. Physical mail to:

Boise Public Library  
ATTN: Acquisitions Manager – Material Challenge  
715 S. Capitol Blvd.  
Boise, ID 83702

B. E-mail to:

[materialchallenge@cityofboise.org](mailto:materialchallenge@cityofboise.org)

C. Facsimile to:

1 (208) 384-4025

D. To submit in-person, the completed Request for Reconsideration of Materials or Written Notice can be given to a Library staff member at any service desk at all Boise Public Library locations.

Upon submission of this form, it will become a public record. The Boise Public Library will evaluate if any redactions to personal information contained in the form are required by Idaho law prior to making the completed form publicly available.

**REQUEST FOR RECONSIDERATION OF MATERIALS**

Please fill out the requested information to the best of your ability. The information you provide will be an important part of the Boise Public Library’s review of the Materials. If you need additional space to answer the questions, you may attach additional pages.

**I. Section 1 – Request for Reconsideration of Materials.**

a. Information about the Material.

- i. Title: \_\_\_\_\_
- ii. Author/Performer: \_\_\_\_\_
- iii. Publisher/Copyright Date: \_\_\_\_\_
- iv. Item Barcode: \_\_\_\_\_

b. Information about the requestor.

- i. Name: \_\_\_\_\_
- ii. Email Address: \_\_\_\_\_
- iii. Telephone Number: \_\_\_\_\_
- iv. Preferred means of contact: \_\_\_\_\_
- v. Are you a minor? Y / N
- vi. Are you filing this request on behalf of a dependent minor? Y / N
- vii. Do you represent an organization? Y / N
  - a. If so, which organization? \_\_\_\_\_
- viii. Do you have legal representation? Y / N
  - a. If so, who are they and how do we contact them? \_\_\_\_\_
- ix. Are you a Boise Public Library cardholder? Y / N
- x. Did you obtain the Material from the Boise Public Library? Y / N
- xi. Did you check out, request, or use the Material that is the subject of this request? Y / N

c. Information about the request.

- i. To what in the Material do you object? Why do you object? (Please be specific; for example, cite pages and specific passages. Use additional sheet if necessary.)  
\_\_\_\_\_



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ii. Did you read, view or listen to the entire Material? \_\_\_\_\_

iii. If not, what parts did you read, view or listen to? \_\_\_\_\_

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iv. What do you feel would be the result of reading, viewing, or listening to this Material? \_\_\_\_\_

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v. What parts of the Material do you think are accurate and valuable? \_\_\_\_\_

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vi. What do you believe the theme of this Material to be? \_\_\_\_\_

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vii. Are you aware of judgments of this Material by professional critics? \_\_\_\_\_

---

viii. For what age group would you recommend this Material? \_\_\_\_\_

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ix. What action are you requesting the library take in regard to this Material? \_\_\_\_\_

---

x. Is there additional information that the Library Board should be aware of while reviewing your request? \_\_\_\_\_

---

Signature

Date

By signing this section of the form I understand that I am making a formal request to the Boise Public Library about a Material they have made available. I acknowledge that this document will become a public record as soon as it is received by library staff and will be posted to the library's website.

**II. Section 2 – Complaints Alleging Material Harmful to Minors.**

**FILLING OUT AND SUBMITTING THIS SECTION OF THE FORM CONSTITUTES WRITTEN NOTICE PURSUANT TO THE “CHILDREN’S SCHOOL AND LIBRARY PROTECTION ACT.”**

[ ] Initial this box and fill out this section if you intend for this form to constitute Written Notice pursuant to Idaho Code § 18-1517B(3). By initialing this box, you affirm your belief that the Materials are Materials Harmful to Minors as defined by Idaho Code and Boise Public Library policy, and you request the Materials be relocated to a section designated for adults only within sixty (60) days of the Boise Public Library’s receipt of this notice.

Idaho Code defines material harmful to minors as:

“Harmful to minors” includes in its meaning the quality of any material or of any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

(a) Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and

(b) Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:

(i) Intimate sexual acts, normal or perverted, actual or simulated; or

(ii) Masturbation, excretory functions or lewd exhibition of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political or scientific value for minors[.]”

Idaho Code § 18-1514(6).

The following subdefinitions found in Idaho Code § 18-1514 apply to the above definition of “harmful to minors:

“Minor” means any person less than eighteen (18) years of age.

“Nudity” means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

“Sexual conduct” means any act of masturbation, homosexuality, sexual intercourse, or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, the breast.

“Sexual excitement” means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

“Sado-masochistic abuse” means flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one who is nude or so clothed.

“Material” means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.

“Performance” means any play, motion picture, dance or other exhibition performed before an audience.

“Promote” means to manufacture, issue, sell, give, provide, deliver, publish, distribute, circulate, disseminate, present, exhibit or advertise, or offer or agree to do the same.

“Knowingly” means having general knowledge of, or reason to know, or a belief or reasonable ground for belief that warrants further inspection or inquiry.

“School” means any public or private school providing instruction for students in kindergarten through grade 12.

a. Complainant’s Information.

i. Name: \_\_\_\_\_

ii. Address: \_\_\_\_\_

b. Complaint Information.

i. Please fill out Section I of this form. The information you provide will be an important part of the Boise Public Library’s review of the Materials.

ii. How did you, or your dependent Minor, obtain the Material? Please include the format of the Material and the Boise Public Library location the Material was obtained.

[CONTINUED ON NEXT PAGE]

iii. In what ways do you believe the challenged Material meets the definition of Material Harmful to Minors? Please state the basis of the claims and provide all explanation that may be helpful.

a. How does the Material appeal to the prurient interests of minors, as judged by the average person applying contemporary community standards?

b. In what ways is the Material patently offensive to prevailing standards in the adult community with regard to what is suitable for Minors?

c. Does the Material, when considered as a whole and in the context in which it is used possess serious literary, artistic, political or scientific value for Minors? Why or why not?

---

Signature

Date

By signing this section of the form I understand that I am making a formal complaint to the Boise Public Library about a Material they have made available. I acknowledge that this document will become a public record as soon as it is received by library staff and will be posted to the library's website.

# BOISE PUBLIC LIBRARY SYSTEM STATISTICS REPORT March 2024

	<u>This Month</u>	<u>Last Year This Month</u>	<u>Percent Change</u>	<u>This Year To Date</u>	<u>Last Year To Date</u>	<u>Percent Change</u>
<b><u>CIRCULATION/Books</u></b>						
Adult	47,612	47,286	0.69	269,231	259,914	3.58
Young Adult	5,461	5,653	-3.40	31,226	30,687	1.76
Juvenile	63,418	65,172	-2.69	356,995	351,687	1.51
<b>Sub Total</b>	<b>116,491</b>	<b>118,111</b>	<b>-1.37</b>	<b>657,452</b>	<b>642,288</b>	<b>2.36</b>

<b><u>CIRCULATION /Audio Visual</u></b>						
Adult	16,630	18,914	-12.08	98,787	104,208	-5.20
Young Adult	999	1,052	-5.04	5,907	5,583	5.80
Juvenile	5,170	5,724	-9.68	29,012	31,392	-7.58
<b>Sub Total</b>	<b>22,799</b>	<b>25,690</b>	<b>-11.25</b>	<b>133,706</b>	<b>141,183</b>	<b>-5.30</b>

<b><u>CIRCULATION/Digital</u></b>						
eAudio	41,379	32,182	28.58	228,230	177,623	28.49
eBooks	31,248	27,040	15.56	175,504	148,212	18.41
eVideo	1,216	307	296.09	6,097	2,139	185.04
eMusic	74	71	4.23	424	381	11.29
eMagazine	11,365	3,135	262.52	66,798	18,012	270.85
<b>Sub Total</b>	<b>85,282</b>	<b>62,735</b>	<b>35.94</b>	<b>477,053</b>	<b>346,367</b>	<b>37.73</b>
<b>TOTAL CIRCULATION</b>	<b>224,572</b>	<b>206,536</b>	<b>8.73</b>	<b>1,268,211</b>	<b>1,129,838</b>	<b>12.25</b>

<b><u>CIRCULATION SUMMARY</u></b>						
Main Library	63,265	66,848	-5.36	363,298	367,788	-1.22
Collister	13,232	12,956	2.13	72,817	69,527	4.73
Hillcrest	9,145	9,720	-5.92	52,665	50,002	5.33
Cole & Ustick (C&U)	26,000	25,582	1.63	145,393	137,470	5.76
Bown	24,770	25,913	-4.41	140,957	143,271	-1.62
Home Service	2,878	2,782	3.45	16,028	15,413	3.99
Digital Collection	85,282	62,735	35.94	477,053	346,367	37.73
<b>TOTAL CIRCULATION</b>	<b>224,572</b>	<b>206,536</b>	<b>8.73</b>	<b>1,268,211</b>	<b>1,129,838</b>	<b>12.25</b>

<b><u>PATRON COUNT</u></b>						
Main Library	30,301	28,173	7.55	164,644	145,634	13.05
Collister	6,061	5,919	2.40	34,400	30,450	12.97
Hillcrest	6,210	5,843	6.28	34,035	29,213	16.51
Cole & Ustick	10,957	10,492	4.43	59,448	54,421	9.24
Bown	10,247	10,408	-1.55	59,608	53,009	12.45
<b>TOTAL PATRON COUNT</b>	<b>63,776</b>	<b>60,835</b>	<b>4.83</b>	<b>352,135</b>	<b>312,727</b>	<b>12.60</b>

<b><u>POLARIS CATALOG</u></b>						
System External Use Counts	0	250,541	-100.00	0	1,413,376	-100.00
Main Internal Use Counts	0	39,145	-100.00	0	206,386	-100.00
Collister Internal Use Counts	0	2,327	-100.00	0	10,974	-100.00
Hillcrest Internal Use Counts	0	2,558	-100.00	0	13,202	-100.00
C&U Internal Use Counts	0	6,637	-100.00	0	35,957	-100.00
Bown Internal Use Counts	0	4,738	-100.00	0	25,147	-100.00

\*Software upgrade has delayed availability of data.

	<u>This Month</u>	<u>Last Year This Month</u>	<u>Percent Change</u>	<u>This Year To Date</u>	<u>Last Year To Date</u>	<u>Percent Change</u>
<b><u>NEW CARDS ISSUED*</u></b>						
Resident	933	1,045	-10.72	5,252	5,313	-1.15
Non-Resident	6	1	500.00	36	24	50.00
Internet Only	1	1	0.00	1	1	0.00
<b>TOTAL CARDS ISSUED</b>	<b>940</b>	<b>1,047</b>	<b>-10.22</b>	<b>5,289</b>	<b>5,338</b>	<b>-0.92</b>

**INTERLIBRARY LOANS**

Out-of-State	118	101	16.83	682	625	9.12
In-State	30	70	-57.14	213	353	-39.66

**INTERLIBRARY BORROWING**

Out-of-State	53	103	-48.54	407	490	-16.94
In-State	14	28	-50.00	95	154	-38.31

**REFERENCE SUMMARY**

Main Adult Desk	2,437	1,637	48.87	12,826	7,708	66.40
Main Adult Telephone	556	654	-14.98	3,628	3,516	3.19
Main Adult Electronic	92	125	-26.40	638	586	8.87
<b>Sub Total Adult Reference</b>	<b>3,085</b>	<b>2,416</b>	<b>27.69</b>	<b>17,092</b>	<b>11,810</b>	<b>44.72</b>

Main Youth Desk	1,073	957	12.12	5,652	5,239	7.88
Main Youth Telephone	28	17	64.71	43	107	-59.81
Main Youth Electronic	1	0	100.00	61	14	335.71
<b>Sub Total Youth Reference</b>	<b>1,102</b>	<b>974</b>	<b>13.14</b>	<b>5,756</b>	<b>5,360</b>	<b>7.39</b>

Information Desk

Readers Advisory	4	3	33.33	17	8	112.50
Directional/Informational	992	488	103.28	5,209	4,330	20.30
<b>Sub Total Information Desk</b>	<b>996</b>	<b>491</b>	<b>102.85</b>	<b>5,226</b>	<b>4,338</b>	<b>20.47</b>

Collister Desk	1,269	1,487	-14.66	8,274	7,958	3.97
Collister Phone	167	156	7.05	1,027	783	31.16
<b>Sub Total Collister Reference</b>	<b>1,436</b>	<b>1,643</b>	<b>-12.60</b>	<b>9,301</b>	<b>8,741</b>	<b>6.41</b>

Hillcrest Desk	519	586	-11.43	3,569	2,753	29.64
Hillcrest Phone	134	125	7.20	883	622	41.96
<b>Sub Total Hillcrest Reference</b>	<b>653</b>	<b>711</b>	<b>-8.16</b>	<b>4,452</b>	<b>3,375</b>	<b>31.91</b>

Cole & Ustick Desk	2,006	1,282	56.47	10,485	7,667	36.75
Cole & Ustick Phone	270	125	116.00	1,505	1,019	47.69
<b>Sub Total C&amp;U Reference</b>	<b>2,276</b>	<b>1,407</b>	<b>61.76</b>	<b>11,990</b>	<b>8,686</b>	<b>38.04</b>

Bown Desk	926	710	30.42	5,950	3,758	58.33
Bown Phone	182	35	420.00	1,198	197	508.12
<b>Sub Total Bown Reference</b>	<b>1,108</b>	<b>745</b>	<b>48.72</b>	<b>7,148</b>	<b>3,955</b>	<b>80.73</b>
<b>TOTAL REFERENCE</b>	<b>10,656</b>	<b>8,387</b>	<b>27.05</b>	<b>60,965</b>	<b>46,265</b>	<b>31.77</b>

	<u>This Month</u>	<u>Last Year This Month</u>	<u>Percent Change</u>	<u>This Year To Date</u>	<u>Last Year To Date</u>	<u>Percent Change</u>
<b>MEETING ROOM USE SUMMARY</b>						
<b>Programs</b>						
Main Adult Programs	25	20	25.00	118	75	57.33
Main Youth Programs	78	85	-8.24	434	430	0.93
Main Community Programs	142	128	10.94	668	592	12.84
<b>Sub Total Main</b>	<b>245</b>	<b>233</b>	<b>5.15</b>	<b>1,220</b>	<b>1,097</b>	<b>11.21</b>
Collister Adult Programs	24	14	71.43	117	54	116.67
Collister Youth Programs	27	43	-37.21	178	209	-14.83
Collister Community Programs	104	101	2.97	573	496	15.52
<b>Sub Total Collister</b>	<b>155</b>	<b>158</b>	<b>-1.90</b>	<b>868</b>	<b>759</b>	<b>14.36</b>
Hillcrest Adult Programs	28	22	27.27	112	86	30.23
Hillcrest Youth Programs	27	29	-6.90	134	143	-6.29
Hillcrest Community Programs	155	133	16.54	748	615	21.63
<b>Sub Total Hillcrest</b>	<b>210</b>	<b>184</b>	<b>14.13</b>	<b>994</b>	<b>844</b>	<b>17.77</b>
C&U Adult Programs	19	14	35.71	107	58	84.48
C&U Youth Programs	60	41	46.34	319	200	59.50
C&U Community Programs	153	131	16.79	763	619	23.26
<b>Sub Total Cole &amp; Ustick</b>	<b>232</b>	<b>186</b>	<b>24.73</b>	<b>1,189</b>	<b>877</b>	<b>35.58</b>
Bown Adult Programs	16	14	14.29	73	66	10.61
Bown Youth Programs	34	52	-34.62	209	248	-15.73
Bown Community Programs	92	99	-7.07	484	424	14.15
<b>Sub Total Bown</b>	<b>142</b>	<b>165</b>	<b>-13.94</b>	<b>766</b>	<b>738</b>	<b>3.79</b>
<b>TOTAL PROGRAMS</b>	<b>984</b>	<b>926</b>	<b>6.26</b>	<b>5,037</b>	<b>4,315</b>	<b>16.73</b>

<b>Program Attendance</b>						
Main Adult Attendance	266	303	-12.21	1,499	918	63.29
Main Youth Attendance	3,283	2,634	24.64	15,419	13,584	13.51
Main Comm Attendance	860	892	-3.59	5,087	5,323	-4.43
<b>Sub Total Main</b>	<b>4,409</b>	<b>3,829</b>	<b>15.15</b>	<b>22,005</b>	<b>19,825</b>	<b>11.00</b>
Collister Adult Attendance	147	258	-43.02	587	485	21.03
Collister Youth Attendance	2,268	2,866	-20.87	8,890	7,878	12.85
Collister Comm Attendance	422	387	9.04	2,349	1,958	19.97
<b>Sub Total Collister</b>	<b>2,837</b>	<b>3,511</b>	<b>-19.20</b>	<b>11,826</b>	<b>10,321</b>	<b>14.58</b>
Hillcrest Adult Attendance	458	302	51.66	1,354	875	54.74
Hillcrest Youth Attendance	621	949	-34.56	3,440	2,294	49.96
Hillcrest Comm Attendance	802	800	0.25	5,352	3,312	61.59
<b>Sub Total Hillcrest</b>	<b>1,881</b>	<b>2,051</b>	<b>-8.29</b>	<b>10,146</b>	<b>6,481</b>	<b>56.55</b>
C&U Adult Attendance	84	258	-67.44	600	449	33.63
C&U Youth Attendance	2,155	1,446	49.03	9,882	6,773	45.90
C&U Comm Attendance	893	1,095	-18.45	4,265	5,239	-18.59
<b>Sub Total Cole &amp; Ustick</b>	<b>3,132</b>	<b>2,799</b>	<b>11.90</b>	<b>14,747</b>	<b>12,461</b>	<b>18.35</b>
Bown Adult Attendance	184	142	29.58	662	587	12.78
Bown Youth Attendance	1,063	2,187	-51.39	7,518	7,555	-0.49
Bown Comm Attendance	469	401	16.96	2,971	2,177	36.47
<b>Sub Total Bown</b>	<b>1,716</b>	<b>2,730</b>	<b>-37.14</b>	<b>11,151</b>	<b>10,319</b>	<b>8.06</b>
<b>TOTAL PROGRAM ATTENDANCE</b>	<b>13,975</b>	<b>14,920</b>	<b>-6.33</b>	<b>69,875</b>	<b>59,407</b>	<b>17.62</b>

# BOISE PUBLIC LIBRARY

## RECIPROCAL BORROWING STATISTICS

### March 2024

Items checked out at BPL by consortium members' patrons.

	Percent of				Percent of			
	<u>This Month</u>	<u>This Month</u>	<u>Last Year</u>	<u>Percent</u>	<u>This Year</u>	<u>To Date</u>	<u>Last Year</u>	<u>Percent</u>
	<u>Circulation</u>	<u>This Month</u>	<u>Change</u>	<u>To Date</u>	<u>Circulation</u>	<u>To Date</u>	<u>To Date</u>	<u>Change</u>
<b>CHECKOUTS</b>								
Ada Community	2,897	1.29	3,526	-17.84	16,880	1.33	16,632	1.49
Caldwell	350	0.16	445	-21.35	2,041	0.16	1,640	24.45
Eagle	629	0.28	895	-29.72	3,334	0.26	3,645	-8.53
Emmett	14	0.01	3	366.67	59	0.00	176	-66.48
Garden City	1,095	0.49	1,165	-6.01	6,224	0.49	6,171	0.86
Kuna	279	0.12	382	-26.96	1,390	0.11	1,983	-29.90
Meridian	3,221	1.43	3,158	1.99	16,872	1.33	16,281	3.63
Mountain Home	238	0.11	261	-8.81	1,403	0.11	1,499	-6.40
Nampa	617	0.27	644	-4.19	3,826	0.30	3,355	14.04
Twin Falls	65	0.03	7	828.57	195	0.02	119	63.87
<b>Total</b>	<b>9,405</b>	<b>4.19</b>	<b>10,486</b>	<b>-10.31</b>	<b>52,224</b>	<b>4.12</b>	<b>51,501</b>	<b>1.40</b>
Total BPL Circulation	224,572		206,536		1,268,211		1,129,837	

Items checked out at consortium member locations by BPL patrons.

	<u>This Month</u>	<u>Last Year</u>	<u>This Year</u>	<u>Last Year</u>
		<u>This Month</u>	<u>To Date</u>	<u>To Date</u>
<b>CHECKOUTS</b>				
Ada Community	9,690	10,407	55,584	55,529
Caldwell	133	265	817	1,177
Eagle	7,297	7,355	41,307	38,390
Emmett	93	77	192	147
Garden City	7,757	9,035	45,603	45,630
Kuna	114	147	611	860
Meridian	8,162	7,873	47,904	39,853
Mountain Home	39	14	150	44
Nampa	815	902	3,943	3,939
Twin Falls	33	9	81	51
<b>Total</b>	<b>34,133</b>	<b>36,084</b>	<b>196,192</b>	<b>185,620</b>