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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.