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

BOARD OF TRUSTEES
Nicole Trammel Pantera, President
Rebecca Lemmons, Vice President
Reshma Kamal
Brian Klene
Ron Pisaneschi

MISSION
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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AGENDA

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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

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 10th, Governor Little signed into law House Bill 710aaS, the “Children’s School and Library Protection Act” which will go into effect on July 1st. 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 21st 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 1st. The platform is stable and early feedback from the public has been positive.
Downtown Library Parking Lot

Beginning Monday, May 6th 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 18th 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 Folklorico, 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.
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

Roof Replacement
✓ Project Scope: Includes both upper and lower portions.
Status:
• Roofing work is completed.
• Per City request, lighting upgrades will be completed along the parapet for security purposes. This work is estimated to begin early May.

Restroom Renovations
✓ Project Scope: Includes four story portion only for restroom renovations, plumbing line replacement and fire pump replacement
Status:
• 1st floor restroom renovations are complete.
• 2nd floor restroom construction is complete.
  o Punchlist items in progress
  o 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 3rd floor restroom is finished.
• 3rd floor restroom construction is in progress with estimated completion early June.
• 4th floor restrooms will follow sequentially with estimated final completion early August.
• Fire pump replacement is complete and commissioning report follow-up items in progress.

Partial 1st & 4th Floor Renovations
✓ Project Scope: First floor includes new office for Health Coordinator and bookstore area on the 1st floor.
✓ Fourth floor includes reconfiguring & constructing new offices for new ATS area, breakroom, IT space, Friends storage, maintenance office, Youth Services storage along with new mechanical HVAC system.
Status:
• 4th floor construction in progress with an estimated final completion for mid-June.
  o Potential delay for move-in due to 4th floor ceiling and header adjustments requested by City
• 1st 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.

**1st 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 1st floor work.

**Status:**
- Estimated to begin work mid-May.
  - Shop drawings under review.
Overall Project Health

Summary:
For fiscal year 2024, we have budget to cover the 4th floor renovations and new office for Health Coordinator and bookstore area on the 1st 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.

The project program will continue to be reviewed by Public Works and Library to determine sequence and timing for the remainder of the projects.

Highlights
The roofing renovations are completed along with the 1st & 2nd floor restrooms. Construction work on the 4th floor for space reconfiguration is in progress along with the 3rd floor restrooms.

PROJECT COMPONENTS:

<table>
<thead>
<tr>
<th>Component</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scope</td>
<td>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.</td>
</tr>
<tr>
<td>Budget</td>
<td>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.</td>
</tr>
<tr>
<td>Schedule</td>
<td>Any project specific schedule delays will be noted in the bid package updates section.</td>
</tr>
<tr>
<td>Risks</td>
<td>Construction market challenges, including finding multiple bidders and pricing.</td>
</tr>
<tr>
<td>Resources</td>
<td></td>
</tr>
</tbody>
</table>

SCOPE MANAGEMENT:

<table>
<thead>
<tr>
<th>Status</th>
<th>Discussion</th>
</tr>
</thead>
</table>
| Accomplished | - Storage room wall and flooring demo on 4th floor to allow for extra storage space  
- Auto sorter room construction complete & operational  
- Roof replacement  
- 1st floor restrooms  
- 2nd floor restrooms  
- Visioning work to establish alignment for interior design materials & finishes |
| Planned   | - Restroom/plumbing construction work (3rd & 4th floors remaining).  
- 4th & partial 1st floor remodel in progress.  
- East and West exit stair railing replacement.  
- Parking lot repair work to begin in May  
- Design services for 1st floor renovations |
3rd Floor Restrooms - week of 4/29

4th 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

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

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
LEGISLATURE OF THE STATE OF IDAHO
Sixty-seventh Legislature                    Second Regular Session - 2024

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 710, As Amended in the Senate

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MINORS; AMENDING SECTION 18-1514, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE A TERM, AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1517B, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROHIBIT CERTAIN MATERIALS FROM BEING PROMOTED, GIVEN, OR MADE AVAILABLE TO A MINOR BY A SCHOOL OR PUBLIC LIBRARY, TO PROVIDE FOR A CAUSE OF ACTION, TO PROVIDE FOR DAMAGES, TO PROVIDE FOR INJUNCTIVE RELIEF, TO PROVIDE FOR AFFIRMATIVE DEFENSES, TO PROVIDE FOR A FORM ALLOWING A PERSON TO REQUEST REVIEW OF MATERIAL THE PERSON CONSIDERS TO BE HARMFUL TO MINORS, AND TO PROVIDE FOR HOW AN ACTION MAY BE BROUGHT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

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

18-1514. OBScene MATERIALS -- DEFINITIONS. The following definitions are applicable to this act:
1. "Minor" means any person less than eighteen (18) years of age.
2. "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.
3. "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.
4. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
5. "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.
6. "Harmful to minors" includes in its meaning one or both of the following:
   (a) 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:
      (1) (a) appeals Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
      (2) (b) depicts 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, 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, according to prevailing standards in the adult community, with respect to what is suitable for minors.

(b) The quality of any material or of any performance, or of any description or representation, in whatever form, which, as a whole, has the dominant effect of substantially arousing sexual desires in persons under the age of eighteen (18) years.

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

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

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

10. "Knowingly" means having general knowledge of, or reason to know, or a belief or reasonable ground for belief which warrants further inspection or inquiry.

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

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

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

(2) Notwithstanding any other provision of law, a school or public library, or an agent thereof, shall not promote, give, or make available to a minor:

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

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

(c) Any other material harmful to minors.

(3) Any minor who obtains material, or parent or legal guardian whose child obtained material, in violation of the provisions of subsection (2)
of this section from a school or public library shall have a cause of action against such institution if:

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

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

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

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

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

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

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

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

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

(8) Any action brought pursuant to this section by or on behalf of a minor shall be in accordance with the provisions of chapter 9, title 6, Idaho Code, section 5-306, Idaho Code, and rule 17 of the Idaho rules of civil procedure.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after 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
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:

<table>
<thead>
<tr>
<th>Current approved versions</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>● 5.02 Reconsideration of Materials Policy</td>
<td>[Pages 19-20]</td>
</tr>
<tr>
<td>● 5.02a Request for Reconsideration of Library Materials Form</td>
<td>[pages 21-23]</td>
</tr>
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<td>Exhibit</td>
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<table>
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<td>● 5.02 Reconsideration of Materials Policy</td>
<td>[Pages 24-29]</td>
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<tr>
<td>● 5.02a Request for Reconsideration of Library Materials Form</td>
<td>[pages 30-35]</td>
</tr>
<tr>
<td>Exhibit</td>
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</table>
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.
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/PARTNER _________________________________

PUBLISHER/COPYRIGHTDATE _________________________________

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.
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

   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.
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

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.)

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

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

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

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

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

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

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

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.
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.
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<th>CIRCULATION/Books</th>
<th>This Month</th>
<th>Last Year</th>
<th>Percent Change</th>
<th>This Year To Date</th>
<th>Last Year To Date</th>
<th>Percent Change</th>
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<tbody>
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<td>356,995</td>
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<th>Last Year</th>
<th>Percent Change</th>
<th>This Year To Date</th>
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<th>Last Year</th>
<th>Percent Change</th>
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| TOTAL CIRCULATION         | **224,572**| **206,536**| **8.73**      | **1,268,211**     | **1,129,838**    | **12.25**      |

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*Software upgrade has delayed availability of data.*
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## MEETING ROOM USE SUMMARY

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Items checked out at BPL by consortium members' patrons.

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<th>CHECKOUTS</th>
<th>This Month</th>
<th>Last Year This Month</th>
<th>Percent Change</th>
<th>This Year To Date</th>
<th>Last Year To Date</th>
<th>Percent Change</th>
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<tbody>
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Total BPL Circulation | 224,572 | 206,536 | 1,268,211 | 1,129,837

Items checked out at consortium member locations by BPL patrons.

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<tr>
<th>CHECKOUTS</th>
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<th>Last Year This Month</th>
<th>This Year To Date</th>
<th>Last Year To Date</th>
</tr>
</thead>
<tbody>
<tr>
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