



Name: Challenged Materials Policy

Adopted: February 24, 2014, by Franklin Public Library Board of Trustees; revised February 28, 2022

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**Policy:**

Materials in the Library's collection are selected under the guidelines established in the Library's "Materials Selection Policy."

The Library recognizes that from time to time there will be citizen complaints or concerns about a specific title or type of material selected or withdrawn from the collection. When a complaint is made, the Library will address it, ensuring that the complainant is heard and that the fundamental principles of intellectual freedom are upheld.

This policy provides for a systematic approach to the process, as follows:

1. Initiation of Request for Reconsideration:
  - a. Any individuals with legal residence in Franklin may initiate complaints about specific titles or types of material in the collection by talking to or writing to any member of staff, the Director, or a member of the Board of Trustees. Such communications are considered informal complaints.
  - b. Staff, the Director, or the Trustee should then offer a Request for Reconsideration Form (appended to this policy), and explain the rationale for the formal complaint procedure.
  - c. No further action is taken by the library at this point.
2. Acknowledgement of Request for Reconsideration of Library Materials Form:
  - a. Once a Request for Reconsideration is received by the Director, it shall be acknowledged in writing. The letter shall describe the Library's procedure and timeline for review, approximately six to eight weeks.
  - b. Copies of this policy and the Materials Selection Policy will be included in the reply.
  - c. If the complainant has checked out the item, no further action will be taken until said item is returned to the library.
3. Evaluation of Library Materials:
  - a. The Director shall appoint a committee of professional staff to evaluate the challenged materials. Usually this committee is made up of two or three librarians, including the Assistant Director.
  - b. The challenged material is recalled from circulation and is not available for use by other patrons to allow members of the committee time to evaluate it.
  - c. Members of the committee read, listen to, or view the material in its entirety.

- d. Committee members review the material in relationship to the Library's Materials Selection Policy and the rest of the collection. They research what literary critics and reviewers think of the material.
  - e. After reaching individual conclusions, the committee meets to discuss the material and recommend one of several actions to the Library Director:
    - i. Retain the challenged material in the collection;
    - ii. Retain the challenged material, but move it to another location; or
    - iii. Withdraw the challenged material.
  - f. The Director then evaluates the challenged materials, weighing the factors listed above, and considers the committee's recommendation.
4. Notification of Complainant:
    - a. The Director shall write a letter to the complainant stating the decision of the Library, as well as the reasoning behind the decision.
    - b. The letter will include the steps complainant may take if unsatisfied with the decision.
  5. Notification of the Board of Trustees:
    - a. The Library Board shall be notified by the Director of any formal complaints, usually through the Director's Monthly Report.
  6. Reconsideration by the Library Board of Trustees:
    - a. If the complainant is not satisfied with the written decision of the Director, he or she may bring the matter to the Board of Trustees.
    - b. To initiate consideration by the Board of Trustees, the complainant must write to the Library Director or President of the Board of Trustees and request that the matter be placed on the agenda of the next regular meeting. The letter must be received at least ten (10) days prior to the next regular meeting of the Board. If received after that time, the matter will be automatically deferred until the succeeding regular meeting.
    - c. The Director or Board President shall acknowledge receipt of the complainant's letter in writing, and shall include the date, time, and place of the meeting at which the matter will be considered.
    - d. Once the Request for Reconsideration is on the agenda, the Board shall decide by a majority vote of the members present whether it wishes to further consider the Request for Reconsideration.
    - e. If the Board votes to consider the matter further, an ad hoc review panel will be selected to evaluate the challenged material, a public hearing is set, and the matter is placed on the agenda for the next regular meeting. If necessary, because of the length or availability of the material in question, the matter may be postponed for one meeting. The challenged material is recalled from circulation and is not available for use by other patrons to allow members of the ad hoc committee time to evaluate it.
    - f. If the Board does not vote to consider the request further, the matter is closed.
  7. Ad Hoc Review Panel:
    - a. The ad hoc review panel is selected by random drawing of three names from the Library's Board of Trustees. Members of the review panel:
      - i. Read, listen to, or view the material in its entirety;

- ii. Review the material in relationship to the Library's Materials Selection Policy and the rest of the collection; and
    - iii. Consider what literary critics and reviewers think of the material.
  - b. After coming to individual conclusions, the committee meets to discuss the material and recommend one of several actions to the Board of Trustees, with reference to the fundamental principles of intellectual freedom:
    - i. Retain the challenged material in the collection;
    - ii. Retain the challenged material, but move it to another location; or
    - iii. Withdraw the challenged material.
  - c. At the regular meeting of the Board of Trustees at least ten (10) days after the Director's receipt of the decision of the ad hoc review panel, the Board shall consider the recommendation of the ad hoc review panel.
  - d. The Board of Trustees shall vote on the disposition of the challenged material. A majority vote of the full Board is required to remove materials from the Library's collection, to move materials from one location to another, or to otherwise restrict access to materials.
  - e. The decision of the Board of Trustees is final. Whatever the decision, the principles of the Library Bill of Rights will be reiterated, as well as how the decision is in accordance with those principles. A brief statement as to the rationale for the decision should also be made; e.g., "We have concluded that the material meets our selection criteria, and will be retained without restriction."
- 8. Public Hearing:
  - a. The Board of Trustees may schedule a public hearing as part of a regular Board meeting or at a special meeting called to address the Request for Reconsideration. Said meeting shall be properly noticed, and the Director shall issue a news release to inform citizens of the date, time and nature of the public hearing.
  - b. The President of the Board of Trustees or designee shall chair the public hearing. After calling the meeting to order, the Chair shall review the procedures to be followed at the meeting, and the process followed up to this point for reconsideration of the material. The Chair should announce at the beginning of the hearing that the decision of the Board of Trustees will be made at the next regular Board meeting.
  - c. Citizens wishing to speak shall sign in and indicate on which side they will be speaking. The Chair shall decide whether time limits will be set and, if so, a timekeeper shall be appointed and each speaker shall be limited to a specific amount of time, e.g., three or four minutes. No participant shall be allowed to speak a second time until all speakers registered have been heard.
  - d. Seating will be provided for the public. Speakers shall speak from an area designated for that purpose. Members of the press are required to remain in the public seating area throughout the hearing.
- 9. Inquiries about Specific Requests for Reconsideration:
  - a. From time to time, complainants, members of the public, the press, or others, may have questions concerning the status of a specific Request for Reconsideration of Library Materials. Questions should be addressed to the Library Director.