

October 5, 2023
Item 4

SUBJECT: REVIEW AND RECOMMEND CITY COUNCIL ADOPT RESOLUTIONS APPROVING UPDATED LIBRARY POLICIES: 1) PUBLIC ACCESS TO THE INTERNET; 2) MATERIALS RECOVERY; 3) COLLECTION DEVELOPMENT; 4) REQUEST FOR RECONSIDERATION OF MATERIAL FORM; AND 5) INCLUSIVENESS IN MATERIALS STATEMENT

SUMMARY

City staff and Library commissioners have undertaken a comprehensive review and update of several key Library policies and a request form, which were approved by the City Council in 1999 and some by the Library Commission only in 2001, along with the development of a new statement on inclusiveness in materials. The policy revisions represent important changes in technology, ensure compliance with the Federal Children's Internet Protection Act (CIPA) requirements to receive discounted rates for Library broadband access and to qualify for grant funding, and reflect changes in the City Fee Schedule in 2019. The proposed policies and the inclusiveness statement are grounded in the Library and Recreation Department's values of integrity, inclusion, innovation, customer service and collaboration.

RECOMMENDATION

Review and recommend City Council adopt resolutions approving updated Library policies for: 1) Public Access to the Internet Policy, 2) Materials Recovery Policy, 3) Collection Development Policy, 4) Request for Reconsideration of Material Form; and 5) Inclusiveness in Materials Statement.

FINANCIAL STATEMENT

Public Access to the Internet Policy

CIPA compliance is necessary for the Library to continue to receive broadband access at a significantly reduced rate through the Consortium for Education Network Institute (CENIC) in California and to qualify for youth grant funding through the Library Service and Technology Act (LSTA).

Materials Recovery Policy

There is no direct financial impact. Currently there is \$13,000 in revenue budgeted for library materials fees in the Library and Recreation Administration budget #00150100-361531.

Collection Development Policy

There is no direct financial impact.

Request for Reconsideration of Material Form

There is no direct financial impact.

The Inclusiveness in Materials Statement.

There is no direct financial impact.

BACKGROUND

Policy revisions and Library statements reflect evolving public library practices and are important to ensuring accurate and current information is provided to the community, that the Library remains in compliance to ensure grant funding, and that the Library articulates the importance of open and equal access to materials and information.

Public Access to the Internet Policy:

- The proposed *Public Access to the Internet Policy* (Attachment 1) supersedes and replaces both the old *Public Access to the Internet Policy* (2001, Attachment 6) and the *Policy on Access to Motion Pictures Videos* (1999, Attachment 7).

The old *Public Access to the Internet Policy* was approved by the Library Commission in 2001. The *Policy on Access to Motion Picture Videos* was adopted by the City Council in 1999. Both policies require updating to ensure continued adherence to the Children's Internet Protection Act (CIPA). CIPA standards were enacted by Congress in 2001 to address concerns about children's access to obscene or harmful content over the internet. Since 2001, the past two decades have witnessed a substantial growth in both internet content and usage, and changes in library media, necessitating adjustments for the policy. The proposed policy revision to the *Public Access to the Internet Policy* ensures compliance with CIPA requirements, addresses the growing volume of internet content and usage within the Library, and reinforces the Library's commitment to providing open and free access to library resources for all users.

Materials Recovery Policy:

- The updated *Materials Recovery Policy* (Attachment 2) provides details on the fees as well as the library materials recovery process, incorporates the existing *Library Fines/Fee Waivers Policy* (2017, Attachment 8), and supersedes the *Library Refund Policy* (Attachment 9), which was signed by the City Manager in 2018.

The *Library Fines/ Fee Waivers* (2017) and the *Defacement of Library Materials Policy* (1999, Attachment 10) were previously approved by the City Council. Staff have identified that the policies each contained important information that would benefit the community by being in a single policy statement with similar information on library materials recovery.

On July 16, 2019, Pleasanton City Council adopted a materials recovery model for the Library. This model amended the Library's fee schedule, eliminating daily overdue fines ("Fines Free"), implemented automatic renewal for materials, and retained fees for lost and damaged library items. In 2021, library staff recognized the need to replace the *Defacement of Library Materials Policy* (1999) with a *Materials Recovery Policy* aligned with the new model.

Collection Development Policy and Request for Reconsideration of Material Form:

- The new *Collection Development Policy* (Attachment 3) comprehensively outlines how the Library selects, maintains and deselects materials for its collection. It also incorporates an improved *Request for Reconsideration of Materials Form* (Attachment 4), which replaces the old *Patron Comment Regarding Library Material Form* (2001, Attachment 11), to address public complaints regarding library materials. The proposed *Collection Development Policy* replaces the *Material Selection Policy* (2001, Attachment 12). Both the updated policy and the form are designed to streamline the process.

Both the existing *Material Selection Policy* (2001) and *Patron Comment Regarding Library Materials Form* (2001) were originally approved by the Library Commission 22 years ago.

In 2021, Library staff identified the need for a new *Collection Development Policy*.

Inclusiveness in Materials Statement:

- This statement articulates the Library's commitment to open and free access to resources and aligns with the updated *Collection Development Policy* and *Request for Reconsideration of Materials Form*.

Throughout the history of the United States, attempts to ban books have been made, often without sustained success or benefit to its citizenry. In 2022, the American Library Association reported a surge in book challenges, reaching the highest number of attempted book bans in over two decades. In June 2023, in response to recent attempts to ban books in California, Library staff and the Library Commission identified the need for an Inclusiveness in Materials Statement (Attachment 5).

DISCUSSION

The proposed three policies, along with one request form and the Inclusiveness in Materials Statement incorporate the Library's commitment to open access of a wide variety of materials and information. To ensure that all members of the community are considered in these policies, the Library and Recreation Department's Diversity, Equity, and Inclusion (DEI) workgroup, the IT Department, and the City Attorney's Office reviewed the drafts.

The revised *Public Access to the Internet Policy* serves as a definitive guide for internet use within the library. It includes a clear statement about using the internet in a public

library setting, technology protection measures for children as required by CIPA, and rules governing use. The proposed revisions are in compliance with CIPA.

The Materials Recovery Policy offers detailed information on library loan periods, automatic renewals, member notifications, refunds, fee waivers, lost and damaged items, and fee recovery timelines. By providing clarity and transparency on the process, the policy aims to remove unnecessary barriers, ensuring equitable access, increased circulation, and efficient material recovery for all community members.

The updated *Collection Development Policy* details criteria on materials selection, its values regarding access to resources, and the ongoing maintenance of the Library's collection. The enhanced *Request for Reconsideration of Material Form* provides a detailed review process. By stating all aspects of the materials' life cycle, the policy and the form reinforce the library's efforts toward transparency, guided by the principles of evidence-based selection, maintenance and sustainability.

The proposed *Inclusiveness in Materials Statement* integrates the *Collection Development Policy* and the *Request for Reconsideration of Material Form* with a review process. It outlines the Library's position on its freedom to acquire lawful materials, its unwavering commitment to opposing attempts to censor library resources and its dedication to respecting individual choice.

In light of the above, staff request that the Library Commission recommend City Council adopt the policies, form and statement. This will ensure compliance with the Children's Internet Protection Act and serve to remove barriers to access for all community members, enhancing transparency in library collection development and reiterate the Library's commitment to open and free access to resources.

Submitted by:



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Attachments:

Policies for Approval

1. Proposed resolution adopting Public Access to the Internet Policy (2021)
2. Proposed resolution adopting Materials Recovery Policy (2022)
3. Proposed resolution adopting Collection Development Policy (2022)
4. Proposed resolution adopting Request for Reconsideration of Material Form (2022)
5. Proposed resolution adopting The Inclusiveness in Materials Statement (2023)

Prior Policies

6. Public Access to the Internet Policy (2001)

7. Policy on Access to Motion Pictures Videos (1999)
8. Library Fines/Fee Waivers (2017)
9. Library Refund Policy (2018)
10. Defacement of Library Materials Policy (1999)
11. Patron Comment Regarding Library Materials Form (2001)
12. Material Selection Policy (2001)