



Board Agenda Item 32

DATE: March 19, 2024

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Community Parent and Guardian Review Committee

RECOMMENDED ACTION(S):

- 1. Approve Bylaws for the Community Parent and Guardian Review Committee; and**
- 2. Approve the application period for the Community Parent and Guardian Review Committee to occur from March 19, 2024, through April 26, 2024, and direct staff to post vacancies and authorize staff to accept applications; authorize staff to continue accepting applications after the April 26, 2024 deadline to be kept on file in the event vacancies occur.**

The stated intent of the Community Parent and Guardian Review Committee (Committee) is to ensure that no Fresno County Library or other County facility allows ready access of books to minors that contain age-inappropriate content. The first recommended action will approve the Bylaws for the Committee, as directed by your Board on November 28, 2023. The Committee will be comprised of eleven members. The second recommended action will authorize the application period for the Committee members, and direct staff to post vacancies and accept applications. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may choose to deny the recommended actions. Your Board may make modifications to the recommended Bylaws or approve a different application submittal period.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The Committee members will be volunteers and there will be no funding available to provide reimbursement for meals and mileage. However, the implementation of the policies of the Resolution and Committee will result in increased use of Library staff and facility time.

DISCUSSION:

The Fresno County Library consists of 34 locations across Fresno County, each with a section dedicated to children's books and other reading materials. On November 28, 2023, the Board approved Resolution 23-377 (the Resolution), which expressed the Board's concern that children's books and other materials in the County's libraries containing sexually graphic and other age-inappropriate content were available in several children's sections and as a result easily accessible by young children.

The Resolution provided that parents or guardians of younger children, rather than the government or any other entity, are able to make decisions of the type of content that their children are exposed to and should be involved and participate in their children's access to age-inappropriate content in books and other

materials at or from the County's libraries. The Resolution requires that the Fresno County Librarian establish efficient procedures for the removal of access from minors obtaining access to, or checking out of books and other materials that contain content determined to require parental or guardian consent. The procedures shall establish the process by which parental or guardian consent is obtained or given to accessing or checking out books and other materials restricted by the Resolution.

Your Board directed staff to return with Bylaws for implementation of Committee. The composition of the Committee and recommended selection of the Committee members, as described in Resolution 23-377, is as follows:

1. Composition

- a. The Committee shall be comprised of a total of eleven Fresno County residents.
- b. Two qualified members will be selected and recommended for appointment by each of the Board Members from an applicant pool representing their respective Supervisorial District (ten members).
- c. Of the remaining qualified applicants, one member will be recommended for appointment by the County Administrative Officer (CAO).

2. Selection

- a. Applicants must complete the application online available through the Clerk of the Board's Office.
- b. After submission of the application, the Clerk of the Board's staff will verify the information on the applications submitted by qualified applicants who reside in each district. Each Board member shall select and recommend for appointment two qualified members from their respective district.
- c. If approved by your Board, the application period shall commence today and end on April 26, 2024. Completed applications must be received by the Clerk of the Board no later than 5:00 PM on April 26, 2024; applications will continue to be accepted after the initial deadline and will remain on file for one year after submission per Management Directive 2721.3.
- d. After the closing date for acceptance of applications, the Clerk of the Board's staff will verify the information on the applications submitted by qualified applicants who reside in each district. Each Board member shall select and recommend for appointment two qualified members from their respective district and submit to the CAO.
- e. Of the remaining qualified applicants, one member will be recommended for appointment by the CAO.
- f. When a minimum of eight qualified Committee members have been selected, staff will return to the Board for appointment of the at least eight qualified members to the Committee.

The Clerk of the Board's staff will coordinate posting of vacancies for the Committee. Notifications of the application will also be shared on the County's social media sites.

The Committee will be tasked with the review of current and incoming library books and materials intended for children, and determining if those materials contain age-inappropriate content as determined by a to-be-established community standards policy. Books and materials identified by the Committee as age-inappropriate shall be made only accessible and available for checkout with the approval of a parent or guardian.

Duties of the Committee shall include the following:

1. Meet in person at least 4 times per year. Meetings shall be held quarterly at a date, time, and place to be fixed by the Committee, and the meetings may be held upon the call of the Chairperson or any three members. The Brown Act (Gov. Code §54950 et seq.) shall govern meetings of the Committee.
2. Adopt Committee Bylaws in the initial meeting of the Committee.
3. Nominate and elect Chairperson and Vice-Chairperson.
4. Adopt Community Standards Policy.
5. Review books and other materials submitted for review by County Librarian or submitted for review based on complaints or referrals from the public and decide by vote whether the books or other materials meet community standards.
6. Maintain a list of books and materials that have been deemed by the Committee not to meet community standards and are subject to parental or guardian consent provisions, which list shall be posted prominently at all County Library facilities, so that the public may access that list.

The Bylaws outline an appeal process, which provides that any person may appeal the inclusion of any book or other materials by the Librarian or Committee in the category of books or other materials subject to the parent or guardian consent requirements. All appeals shall be heard and reviewed by an appeal subcommittee consisting of two Committee members selected at random and the County Librarian, or the County Librarian's designee. The appeal subcommittee selected to hear any appeal or appeals shall hear the appeal at a noticed hearing subject to the Brown Act on a date on or before the next regular meeting of the full Committee, or as soon as possible. All decisions by the appeal subcommittee shall be final.

The Committee will receive direct support through Library staff.

REFERENCE MATERIAL:

BAI #24, November 28, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

Bylaws

CAO ANALYST:

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