

1                                   BEFORE THE BOARD OF SUPERVISORS

2                                   OF THE COUNTY OF FRESNO

3                                   STATE OF CALIFORNIA

4                                   RESOLUTION NUMBER \_\_\_\_\_

5           A RESOLUTION ESTABLISHING A “PARENTS MATTER” APPROACH TO REVIEWING  
6           AGE-APPROPRIATE CHILDREN’S BOOKS IN FRESNO COUNTY LIBRARIES

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8           WHEREAS, the Fresno County Board of Supervisors has observed that there are some  
9 children’s books and other materials in the children’s section of County’s libraries that contain  
10 sexual writings, sexual references, sexual images, gender-identity content, and other sexual  
11 content or content deemed age-inappropriate (Age-Inappropriate Content); and

12           WHEREAS, the Fresno County Board of Supervisors is concerned that some of the  
13 children’s books and other materials (Books and Other Materials) in the County’s libraries  
14 contain sexual content that is viewed by the community as obscene and/or age inappropriate;  
15 and

16           WHEREAS, those books and other materials containing Age-Inappropriate Content are  
17 presently readily available to children without any parental or guardian involvement or  
18 requirement for parental or guardian requirement; and

19           WHEREAS, it is critical that parents or guardians of younger children, rather than the  
20 government or any other entity, are able to make decisions of the type of content that their  
21 children are exposed to; and

22           WHEREAS, the Fresno County Board of Supervisors seeks to protect our community’s  
23 children by necessarily involving parental and guardian oversight and participation regarding  
24 children’s access to Age-Inappropriate Content in books and other materials at or from the  
25 County’s libraries; and

1           WHEREAS, the County's libraries are funded by taxpayers from the community and  
2 children's books and other materials are generally judged by "community standards" per Miller  
3 v. California (1973) 413 U.S. 15.  
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5           **NOW THEREFORE, THE FRESNO COUNTY BOARD OF SUPERVISORS**  
6 **RESOLVES AS FOLLOWS:**

- 7           1.     Accessibility to Library books
- 8                 a.   Nothing in this Resolution shall require or authorize the removal of any book  
9                     or other material from a Fresno County Library.
- 10           2.    Adult Consent or Approval for Access to Age-Inappropriate Content
- 11                 a.   No Fresno County Library or other County facility shall allow ready access to  
12                     minors of books and other materials that contain Age-Inappropriate Content  
13                     contained within designated children's sections or areas.
- 14                 b.   Parental or guardian consent will be required before accessing or checking  
15                     out of books and other materials that contain Age-Inappropriate Content.
- 16                 c.   The Fresno County Library Shall establish efficient procedures for the  
17                     removal of access from minors, obtaining access to, or checking out of  
18                     books and other materials that contain Age-Inappropriate Content. The  
19                     procedures shall establish the process by which parental or guardian  
20                     consent is obtained or given to accessing or checking out books and other  
21                     materials restricted by this Resolution.
- 22                 d.   The County Librarian may make determinations regarding any books and  
23                     other materials subject to the parental or guardian consent procedures as  
24                     required by this Resolution or may allow the community parent and guardian  
25                     review committee established by this Resolution to make all such

1 determinations. Any determination by the County Librarian under the  
2 standards in this Resolution shall be reviewed by the community  
3 parent/review committee at the next occurring meeting.

4 3. Establishment of a Community Parent and Guardian Review Committee

5 a. A community parent and guardian review committee (Committee) shall be  
6 established to review all current, proposed, or new Children's books and  
7 other materials procured for County Libraries by the County Librarian or staff  
8 that may contain Age-Inappropriate Content before the books or other  
9 materials are placed in the County Libraries or facilities.

10 b. The Committee shall be comprised of fifteen (15) community members over  
11 18 years of age, and each County Supervisor member shall appoint three  
12 (3) individuals who reside within that Board Member's district within Fresno  
13 County. The term for each member shall be two (2) years.

14 c. The Committee shall meet four (4) times a year and more as necessary (as  
15 determined by the County Librarian or Committee members) to review  
16 children's books or other materials recommended for procurement and  
17 currently available for County's libraries. The meetings of the Committee  
18 shall be conducted pursuant to the requirements of the Ralph M. Brown Act  
19 (Government Code § 54950, et seq.).

20 d. The initial meeting of the Committee shall take place as soon as possible  
21 after a quorum of at least 8 members has been appointed by the Board of  
22 Supervisors and all requirements for creation of a committee are complete.  
23 The initial meeting shall include approval of Committee bylaws, prepared in  
24 advance by County staff, and the nomination and election of Chairperson

1 and Vice-Chairperson of the Committee, and a Community Standards  
2 Policy.

3 4. Procurement of New books and other materials Required to Meet Community  
4 Standards and Review of books Currently in Circulation

5 a. The Committee shall review proposed new books and other materials for  
6 placement in the children's section as requested by the County Librarian for  
7 procurement to library branches. The Committee shall determine by majority  
8 vote of the quorum present if the books and other materials presented meet  
9 the community standards of acceptance for Fresno County or whether they  
10 should be subject to the parental or guardian consent provisions of this  
11 Resolution.

12 b. The Committee may also review books and other materials currently in  
13 circulation at County libraries and subject them to the same process on a  
14 case-by-case basis.

15 c. If the Committee decides any of the recommended books or other materials  
16 do not meet the community standards of acceptance, the Committee may  
17 vote to make said books or other materials subject to the parental or  
18 guardian consent provisions of this Resolution and the procedures  
19 established to comply with this Resolution by the Fresno County Library.

20 d. Once the committee has been established with approved bylaws and  
21 community standards policies, at the next possible meeting the Committee  
22 shall conduct a review of books or materials currently in circulation that have  
23 been brought to the attention of the review board by members of the public  
24 and/or Library staff and which may be subject to the provisions of this  
25 Resolution.

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5. General Provisions

- a. This Resolution provides the direction of the Board of Supervisors to the County Administrative Officer and the County Librarian to carry out the provisions of this Resolution.
- b. Following adoption of this Resolution by the Board of Supervisors, the Clerk of the Board shall list the available provisions for appointment to the review board as required by law, accept and process applications for the vacancies, and forward qualifying individuals to the Board of Supervisors for consideration of appointment.
- c. This Resolution shall take effect upon passage by a majority of the Board of Supervisors. The rules and procedures required by this resolution shall be effective upon the appointment of a quorum of at least eight members of the community parent/guardian review board and the holding of the first meeting of the review board.

1 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors  
2 of the County of Fresno this \_\_\_\_ day of \_\_\_\_\_, 2023, to wit:

3 AYES:

4 NOES:

5 ABSENT:

6 ABSTAINED:

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\_\_\_\_\_  
Sal Quintero, Chairman of the Board of  
Supervisors of the County of Fresno

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10 ATTEST:  
11 BERNICE E. SEIDEL  
12 Clerk of the Board of Supervisors  
County of Fresno, State of California

13 By \_\_\_\_\_

14 Deputy

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