



## Livingston County Library

450 Locust Street

Chillicothe, MO 64601

Phone: 660-646-0547

Website: [www.livingstoncountylibrary.org](http://www.livingstoncountylibrary.org)



## A Statement from the Livingston County Library

*Posted March 15, 2024*

The Mission of the Livingston County Library is to provide quality materials and services which fulfill educational, informational, cultural, and recreational needs of the entire community in an atmosphere that is welcoming, respectful, and comfortable.

The Livingston County Library and the Lillian DesMarias Youth Library, as a branch location, wish to provide additional information to the communities it serves, and especially to our library patrons, regarding the selection, location, and review of materials in our collection, particularly with regards to books for children and teens.

### **Pornographic or Obscene Materials**

There are no pornographic materials in the library's collection, as defined by state law in [Missouri Revised Statutes Chapter 573](#). The library is fully compliant with all state laws regarding pornography in any form.

There are no obscene materials in the library's collection as defined by state law and further defined by the U.S. Supreme Court in [Miller v. California](#) in 1973. This decision established a three-part test for obscenity, which is used to determine whether "the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest; whether the work depicts or describes, in a patently offensive way, sexual conduct or excretory functions specifically defined by applicable state law; and whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value." None of the materials in the library's collection meet the requirements of this test.

The library is also fully compliant with [Missouri 15 CSR Section 30-200.015](#) – Library Certification Requirement for the Protection of Minors, effective May 2023.

### **Access to Materials**

The Livingston County Library recognizes its role in maintaining an informed citizenry and makes the entire collection accessible to all persons. Any visitor may access materials or services not requiring a library card. ([Library Policy Lending Section C](#))

All adult patrons are ultimately responsible for determining what materials are appropriate to access for themselves. For all minor patrons (under the age of 18), responsibility for what is appropriate to access lies with their parent or legal guardian. While separate collections are designated as Juvenile, Middle Grade, Young Adult, or Adult, it is not the responsibility of Livingston County Library or the Lillian DesMarias Youth Library, its Board of Trustees, staff, or volunteers to determine which collections any patron should access or what materials in a collection are suitable for any patron.

([Library Policy Collection Development Section E](#))

Like adults, children and teens have the right to find the information they choose. Libraries have a responsibility to provide information for a wide variety of users. If you are a parent or guardian, you

have the right and responsibility to make decisions about what materials are suitable for your own family. No one has the right to make rules restricting what other people use, or to make decisions for other families. (["Answering Questions about Youth and Access to Library Resources"](#), American Library Association, May 7, 2017.)

## **Age Designation of Materials**

All physical library materials are given an age designation of Juvenile, Middle Grade, Young Adult, or Adult to aid patrons in determining appropriate reading level and content of materials. These age designations are a recommendation only. The Juvenile collection is recommended for ages 0 -11, Middle Grade for ages 10 - 14, Young Adult for ages 14 -17, and Adult for ages 18 years and older, with each collection physically separated among the shelves in all libraries. Age designation of individual materials can also be found in the online public access catalog (OPAC) by Shelving Location or by Call Number. The age designation of materials is determined by Livingston County Library selectors using information from selection sources, reviews, and professional knowledge. ([Library Policy Collection Development Section E](#))

The library is prohibited by legal precedent from relocating books that have been determined to be written for children or for teens to other sections of the library, such as to the adult collection housed at the Main Library campus or to a "secured" location. In 2000, the U.S. District Court, Northern District of Texas issued a ruling in [Sund v. City of Wichita Falls, TX](#) that found that moving library materials on the basis of disapproval of content is unconstitutional under the First and Fourteenth Amendments of the U.S. Constitution.

The [Library's Collection Development Policy](#) states, "The Livingston County Library does not promote particular beliefs or views, neither does it endorse any particular item contained in its collection. Resources are provided so that an individual may examine issues freely and make his or her own decisions and the library makes no judgment as to the suitability of the materials, information or services for any of its patrons. Access is provided to all materials and services with the expectation that individuals or parents are the best judge of suitability for themselves or their children. The library will provide, as far as possible, materials on all sides of controversial issues, materials that give evidence of a sincere desire to be factual, and that show results of careful study. Materials that serve the purposes of the library, meet required standards of quality, and relate to an existing need or interest will not be removed from the collection because of pressure by groups or individuals."

## **Requests for Review of Library Materials** ([Library Policy-Collection Development, Section F](#))

The Livingston County Library welcomes public comments on resources selected or not selected for inclusion in library collections. Any library cardholder in good standing may formally request the reconsideration of library resources by completing in full and signing a "Request for Review of Library Materials" form. The Library Director in consultation with the selectors and/or library staff will examine the resource in question, check reviews, and determine whether it conforms to the priorities and criteria of the library selection and collection development policy. This process takes time and the patron is requested to allow Library staff four to six weeks to respond. The Library Director shall determine if it should remain in the collection. If the complainant does not agree with the decision of the Director, a formal complaint may be filed with and reviewed by the Board, whose decision is final. ([See Appendix C - Request for Review of Library Materials](#)).

The Library Board of Trustees will be kept informed of the Library Director's consideration of the material in question. The final decision on the challenge of a material, program, event, or display shall remain in effect for three years, upon which said item may be challenged again. All challenge forms

or appeals decisions brought to the Board of Trustees are public records, and both the request and the Board's decision regarding it will be included in Library Board minutes and posted on the library's website. In accordance with library policy, patron privacy will be protected and patron information on the challenge form will be redacted from the public record.

The Livingston County Library and the Lillian DesMarias Youth Library collections contain roughly 65,000 physical titles between the two library locations. Request for reconsideration have been received for one book from the teen/young adult collection in January 2023 by a library patron. This title was reviewed per policy and was found to conform to the standards of library policy.

Requests for reconsideration have been received for eight (8) titles total, two from juvenile collection, one from middle grade collection, five from teen/young adult collection in July 2023 by one library patron. These titles were reviewed per policy and were found to conform to the standards of library policy.

Requests for reconsideration have been received for six (6) titles, all from the teen/young adult collection in August 2023 by one library patron. These titles were reviewed per policy and were found to conform to the standards of library policy.

Specific lists of materials under Request for Review of Library Materials can be found on the Library's website, [www.livingstoncountylibrary.org](http://www.livingstoncountylibrary.org) as attachments to minutes posted under the [About Us](#) tab.

### **Parental Options**

Parents/Legal Guardian of minor children can opt to receive email notifications of their child's loaned material from the Livingston County Library and the Lillian DesMarias Youth Library if so requested of library staff. A parent/legal guardian must provide an email address to library staff in person for verification purposes at the Main Library or Lillian DesMarias Youth Library.

Parents/Legal Guardian of minor children can opt to choose which library collection their child has available to them for loaned materials. Parents/Legal Guardians can choose the collection(s) they do NOT wish their child to utilize; specific titles cannot be included, only collections. Parents/Legal Guardians must provide their choices to library staff for their minor child in person for verification purposes at the Main Library or Lillian DesMarias Youth Library.

### **Going Forward**

The Livingston County Library and Lillian DesMarias Youth Library encourages patrons to speak with library administration about any concerns they have pertaining to their use of the library. In addition, the Library Board of Trustees welcomes public comment at Library Board meetings. The next Library Board meeting is scheduled for March 21, 2024, at 4:30 pm in the 2nd Level Courtroom of the Main Library, 450 Locust Street, Chillicothe, Missouri, 64601. Public comments will be heard at the beginning of the meeting and are limited to a five-minute floor. Anyone seeking to be added to the agenda can contact the Library Director during business hours or the listed contact email of [director@livingstoncountylibrary.org](mailto:director@livingstoncountylibrary.org) or phoning 660-646-0547. Any agenda submissions must be received timely, as agendas are published according to Missouri RsMO Chapter 610 at least 24 hours prior to any meeting. Sign-up for public comments will be provided the day of the scheduled meeting to those wishing to speak and have not been placed on the agenda. Notices of these meetings and procedures for public comment can be found on the library's website at [www.livingstoncountylibrary.org](http://www.livingstoncountylibrary.org) under the [About Us](#) page.