

# Procedure Regarding Requests For Reconsideration

Board approved: April 20, 2023

Fond du Lac Public Library

Previous procedure dated: April 22, 2022

1. Upon receiving a written copy of the *Request for Reconsideration* form for any item in the Fond du Lac Public Library collection, the Director shall:
  - a. Obtain a copy of the item in question and examine (read, view, listen) the item in its entirety.
  - b. Ask for background information from appropriate library staff as to criteria used in ordering the material in question, its place in the collection, and reasons for having the material in the collection.
    - i. Outside consultants may be asked for additional information as is pertinent to the subject in question.
  - c. Study the information provided by the library staff and respond, in writing by certified mail, to the person who initiated the request for reconsideration within 10 working days.
  - d. Create an information packet containing:
    - i. The original *Request for Reconsideration*.
    - ii. The Director's written response to the request.
    - iii. Copies of any reviews, correspondence, memos from staff, etc. used by the Director to form his/her opinion.
    - iv. Copy of the *Fond du Lac Public Library Reconsideration of Materials Policy*.
    - v. Copy of the *Fond du Lac Public Library Selection Policy*
    - vi. Copy of the *Fond du Lac Public Library Collection Development Plan*.

In the event of the Director's unavailability (sickness, vacation, etc.), the process will start upon their return to the Library.

## Appeals process

2. In the event that the person who initiated the request is not satisfied with the decision of the Director, they may submit a written request for a hearing before the Library Board of Trustees within 10 working days of receiving the correspondence from the Library Director.
  - a. The written request is to be sent to the Library Director, who will forward the request to the Library Board President.
  - b. The Director will alert staff of the hearing request and task the PR Coordinator with managing communications between the Library and the press.
  - c. Upon receipt of the request, the Board President will schedule a special meeting to consider the request no less than 21 days from receipt of the request.

- d. The person as well as the public will be notified of the time and place of the meeting. The Board of Trustees reserves the right to limit the length of presentation and number of speakers at the meeting.
  - e. Copies of the information packet will be supplied to each member of the Board of Trustees, the City Manager, the complainant, and any member of the public who may request it. Requests for copies can be made by contacting the Library Director.
  - f. When feasible, the Director will obtain additional copies of the item under reconsideration for review by the Board of Trustees and Staff.
  - g. Challenged materials will not be removed from the collection, marked or identified as challenged, or sequestered during the reconsideration process.
  - h. As soon as the date, time, and place of the meeting have been determined, the Library Director shall post public notice of the meeting pursuant to Chapter 19 of the Wisconsin State Statutes. Such notice will also inform the public that written comments regarding the item under reconsideration shall be accepted up to 7 business days prior to the meeting.
  - i. As is the case with all Library Board meetings, the meeting shall be open to the public, as well as to library staff that wish to attend.
  - j. Decisions on reconsidered materials will stand for five years before new requests for reconsideration will be entertained.
3. The Director shall send out a second notice of the hearing to the Board and to the public seven business days prior to the meeting. Copies of any written comments from the public received since the first meeting notice will be included in a packet sent to the Board as well as any members of the public who may request them.
  4. The agenda for the hearing shall be as follows:
    - a. Call to order by the President or presiding officer of the Board of Trustees.
    - b. Roll call and determination of a quorum.
    - c. Presentation by the complainant. Such presentation will be limited to no more than 15 minutes.
    - d. Presentation by the Director. Such presentation will be limited to no more than 15 minutes.
    - e. The President or Presiding Officer shall entertain a motion from a member of the Board to either
      - i. recess the hearing and reconvene within seven business days; or
      - ii. proceed with comments from the public.
    - f. Comments from the public will be heard for up to two hours
      - i. Comments from individual speakers will be limited to no more than five minutes unless a member of the Board of Trustees shall request that the individual be given an additional 5 minutes. If the number of individual speakers will exceed 2 hours, the amount of time allotted to each individual speaker will be adjusted to meet the 2-hour limit. The President shall ask for a second to the motion and obtain a majority vote from trustees present before granting the additional minutes, or reducing the allotted speaking time per person.

- g. Following comments from the public the President or Presiding Officer shall entertain a motion from a member of the Board to either
    - i. open deliberations by Board members; or
    - ii. recess the hearing and reconvene within seven business days.
  - h. Deliberations among Board members.
    - i. No further comments from either staff, members of the public, or the complainant will be heard during deliberations except to answer specific questions as may be asked by members of the Board of Trustees. Answers to specific questions will be brief.
    - i. Motion concerning the disposition of the item under reconsideration. Once a motion has been made, seconded, and voted on by the Board of Trustees, the decision of the Board will be considered final.
    - j. Motion to adjourn.
5. At the time of the Public Hearing(s), members of the public wishing to speak will be asked to register as they enter the place where the hearing is to be held. The staff member assigned to facilitating registration will offer each person wishing to speak the opportunity to draw a number at random. Numbers drawn will determine the order of presentations.