

Reconsideration of Library Materials Policy

Purpose

The purpose of a “Request for Reconsideration of Library Materials” policy is to provide a process to receive and consider community input on Library Materials and enable the Montgomery County Commissioners Court to exercise proper oversight of valuable library resources. It is the intent of the Montgomery County Commissioners Court for reconsideration of library materials to be handled at the lowest level possible, while still providing the community a process for the Court to exercise oversight when appropriate.

For a formal request for reconsideration of library materials, a Montgomery County resident must provide their name and contact information and complete the “Request for Reconsideration of Library Materials” form (See Appendix A). Anonymous inquiries or objections on a Request for Reconsideration of Library Materials will not be considered.

A review committee as described below will evaluate the item(s) in relation to the library’s mission, selection, and withdrawal criteria. Since the entire work must be considered in this process, all parties -- including the individual requesting the reconsideration -- must read and review the entire work. During the evaluation period, the material in question remains available to the public, except for material described in section four (4).

Definitions

Child(ren): A child is a person younger than 13 years of age.

Young Adult/juvenile: A young adult is a person younger than 18 years of age, but older than a child.

Adult: An adult is a person age 18 and above.

Children’s Section: This is an area of dedicated space within the library that contains age-appropriate material for children, as defined above.

Young Adult Section: This is an area of dedicated space within the library that contains age-appropriate material for young adults, as defined above.

Parenting Section: This is an area of dedicated space within the library that contains material focused on child development and parenting resources. Material within this section is restricted to adult patrons.

Adult Section: This is an area of dedicated space within the library that contains material that is suitable for adults, as defined above.

Request for Reconsideration of Materials

1. Upon an initial informal inquiry of library materials by a Montgomery County resident, the Department Manager, or the employee in charge should review whether the material no longer meets the collection development and maintenance requirements and should be considered for withdrawal. Should the Montgomery County resident choose to begin with an informal inquiry, they shall be informed of the status of the library material within a reasonable time.
2. A Montgomery County resident may submit a Request for Reconsideration of Library Materials form at any time with no requirement to first attempt an informal inquiry. A resident shall not be required to provide proof of residency to file a request.
3. A completed Request for Reconsideration of Library Materials form should be submitted to the Department Head or Branch Manager. The completed form will be promptly forwarded to the Collection Development Coordinator.
4. A Request for Reconsideration of Library Materials pertaining to material contained in, classified as, and/or intended for children (age up to 12), young adults (age 13-17), or parenting section shall be promptly submitted to the Citizens Review Committee following the rules under Section nine (9). Upon receipt of a Request for Reconsideration for material in this category, the Collection Development Coordinator shall immediately restrict circulation of the material to adult patrons until a final disposition is made by the Citizens Review Committee.
5. Material classified within the adult section is not subject to review by the Citizens Reconsideration Committee and should be reviewed by the Collection Development Coordinator, who shall determine whether the material no longer meets the development and maintenance standards. Material not meeting standards may be scheduled for removal during ongoing Library material updates or replenishment. Library material should not be removed based upon viewpoint or information, but only upon the objective standard laid fourth in the collection development and maintenance policy.
6. If the adult library material is not considered for removal as part of the normal course of development and maintenance operations, the Collection Development Coordinator will select a Review Committee to formally consider the Request for Reconsideration of Library Materials. A meeting of the Review Committee shall be open to the public, with meeting notices posted on the entrance to each branch of the Montgomery County Public Library System within seventy-two (72) hours of the meeting. Notices shall include Date, Time, Location, and subject, up to and including, material being considered by committee for review.
 - a. The Review Committee will consist of:

- i. The Collection Development Coordinator;
 - ii. Branch Manager or Department Head;
 - iii. Adult Services Coordinator;
 - iv. Branch Coordinator or Library Director;
 - v. An additional librarian.
7. The Montgomery County Resident will be made aware of the findings of the Review Committee by Collection Development Coordinator within 30 calendar days of the receipt of the request.
8. Items may be submitted for formal reconsideration only once within any 12-month period. Should a resident submit a formal reconsideration of material already reviewed within the last 12 months, a written notification of the previous review and decision shall be provided to the resident. It shall be an exception to this policy, should a resident's formal request for review include items that may reasonably meet the harmful material standard described in Texas Penal Code § 43.24(a)(2).

Request for Reconsideration of Materials Classified As, Contained Within, or Intended for the Children and/or Young Adult Sections:

9. When the Request for Reconsideration involves a work pertaining to materials contained in, classified as, and or intended for children or young adults, a panel of citizens, appointed by members of the Commissioners Court will meet to formally consider the Request for Reconsideration of Library Materials.
 - a. The County Judge and each County Commissioner will appoint one citizen. Appointees shall be registered borrowers of the MCMLS.
 - b. The term of appointment will be a maximum of 4 years. Terms will be staggered to provide ongoing consistency on the committee.
 - c. Initial appointments will range from 1 to 4 years and will be determined by lot, following the participant's acceptance.
 - d. The Committee shall nominate and by simple majority elect a Chairperson. The Chairperson will act as the liaison between the Committee and Library staff for matters pertaining to scheduling of committee meetings and official actions of the committee. The Chairperson shall call meetings as necessary when notification of

necessity is given by Library Collection Development Coordinator, or at the Chairpersons discretion. The library shall provide adequate space for the Committee to meet at any time the committee is in session.

- e. Meetings of the Citizens Review Committee are closed to the public except for the Resident who made formal request for review. Library staff may be utilized by the committee in an advisory capacity at the discretion of the Chairperson. Commissioners Court staff may, at their discretion, attend any meeting of the Citizens Review Committee in an observation only role. The Chairperson may, by vote of the committee, limit access to the meeting to any non-committee member.
- f. The Citizens Review Committee should review material and make determinations based on their judgement as it applies to the standards and values of the Montgomery County community.
- g. Each committee member will read or review the material in question.
- h. The Collection Development Coordinator, or Department Head, shall coordinate with the Chairperson on appropriate dates for meeting based on the availability of the Committee members.
- i. The committee will meet and review the material and information contained in the request within one month of the resident's request. The Committee may extend this requirement for good cause, and if extended, notification must be made to the individual in writing by the Collection Development Coordinator detailing the need for an extension and a timeline for completion.
- j. The members of the Citizens Review Committee shall have the sole authority for the review of materials contained within the children's, young adult, and/or parenting sections, and any decisions made by the Citizens Review Committee shall be final. The department head will abide by the decisions of the Citizens Review Committee, and all committee decisions shall be carried out within 14 calendar days of notification of the final decision. The Citizens Review Committee shall be authorized to take the following actions:
 - i. The committee, by a simple majority vote, may take no action as to the request for reconsideration and the material will remain in the section it was originally assigned to.
 - ii. The Committee, by a simple majority vote, may instruct the Library Director to reassign the material to a more restrictive portion of the library.

- iii. The Committee, by a unanimous vote, may instruct the Library Director to remove the material from circulation within the Montgomery County Memorial Library System. The Committee may only recommend removal of a material if the committee unanimously agrees that the material meets the harmful material standard described in Texas Penal Code § 43.24(a)(2).
 - k. Upon completion of the review, the Collection Development Coordinator shall timely respond to the resident with the committee’s findings in writing. A copy of the correspondence shall be submitted to the County Judge’s office within five (5) business days of the committee’s decision.
10. A list of all material removed under this policy will be provided to the Montgomery County Commissioners Court, Consent Agenda, on an annual basis no later than June 30th.
11. If this policy is found to be in conflict with any other library policy, this policy shall prevail.

Revised and Approved by the Montgomery County Commissioners Court on March 26, 2024.

Robert Walker, Commissioner Pct. 1

Charlie Riley, Commissioner Pct. 2

Mark J. Keough, County Judge

James Noack, Commissioner Pct. 3

Matt Gray, Commissioner Pct. 4

Attest: L. Brandon Steinmann
County Clerk