

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

7
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.
4

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. A list shall be maintained of all books and other materials moved from the
23 children's section as required by this Resolution. A current copy of this list
24 shall be posted for public access.
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1 e. The County Librarian may make determinations regarding any books and
2 other materials subject to the parental or guardian consent procedures as
3 required by this Resolution or may allow the community parent and guardian
4 review committee established by this Resolution to make all such
5 determinations. Any determination by the County Librarian under the
6 standards in this Resolution shall be reviewed by the community
7 parent/review committee at the next occurring meeting.

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

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

14 b. The Committee shall be comprised of eleven (11) community members over
15 18 years of age, and each County Supervisor member shall appoint two (2)
16 individuals who reside within that Board Member's district within Fresno
17 County. The final at-large member shall be appointed by the County
18 Administrative Officer. The term for each member shall be two (2) years.

19 c. The Committee shall meet four (4) times a year and more as necessary (as
20 determined by the County Librarian or Committee members) to review
21 children's books or other materials recommended for procurement and
22 currently available for County's libraries. The meetings of the Committee
23 shall be conducted pursuant to the requirements of the Ralph M. Brown Act
24 (Government Code § 54950, et seq.).
25

1 d. The initial meeting of the Committee shall take place as soon as possible
2 after a quorum of at least 8 members has been appointed by the Board of
3 Supervisors and all requirements for creation of a committee are complete.
4 The initial meeting shall include approval of Committee bylaws, prepared in
5 advance by County staff, and the nomination and election of Chairperson
6 and Vice-Chairperson of the Committee, and a Community Standards
7 Policy.

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

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

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

20 c. If the Committee decides any of the recommended books or other materials
21 do not meet the community standards of acceptance, the Committee may
22 vote to make said books or other materials subject to the parental or
23 guardian consent provisions of this Resolution and the procedures
24 established to comply with this Resolution by the Fresno County Library.
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1 d. Once the committee has been established with approved bylaws and
2 community standards policies, at the next possible meeting the Committee
3 shall conduct a review of books or materials currently in circulation that have
4 been brought to the attention of the review board by members of the public
5 and/or Library staff and which may be subject to the provisions of this
6 Resolution.

7 5. Appeal Process to Return Books and Other Materials to the Children's Section

8 a. Any person may appeal the removal of any book or other materials by the
9 Librarian or Committee from the Children's Section. All appeals shall be
10 heard and reviewed by the Committee at their next regular meeting or as
11 soon as possible.

12 b. Appeals may be submitted in writing or heard in-person during the
13 Committee's regular meeting.

14 6. General Provisions

15 a. This Resolution provides the direction of the Board of Supervisors to the
16 County Administrative Officer and the County Librarian to carry out the
17 provisions of this Resolution.

18 b. Following adoption of this Resolution by the Board of Supervisors, the Clerk
19 of the Board shall list the available provisions for appointment to the review
20 board as required by law, accept and process applications for the vacancies,
21 and forward qualifying individuals to the Board of Supervisors for
22 consideration of appointment.

23 c. This Resolution shall take effect upon passage by a majority of the Board of
24 Supervisors. The rules and procedures required by this resolution shall be
25 effective upon the appointment of a quorum of at least eight members of the

1 community parent/guardian review board and the holding of the first meeting
2 of the review board.

3
4 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
5 of the County of Fresno this ____ day of _____, 2023, to wit:

6 AYES:

7 NOES:

8 ABSENT:

9 ABSTAINED:

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11 _____
12 Sal Quintero, Chairman of the Board of
Supervisors of the County of Fresno

13 ATTEST:
14 BERNICE E. SEIDEL
15 Clerk of the Board of Supervisors
County of Fresno, State of California

16 By _____

17 Deputy
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