

BOARD OF LIBRARY COMMISSIONERS

POLICIES



As Amended Through July 11, 2013

BOARD OF LIBRARY COMMISSIONERS POLICIES

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APPENDIX A - Operating Policies and Practices of the Library Commission

GENERAL POLICIES

1:300 Introduction: The Board of Library Commissioners in the City of Los Angeles operates under powers vested by the Charter for the City of Los Angeles (Sec. 530-535). Under the Charter the Board of Library Commissioners shall have the power and duty to “establish, manage, control and operate a central library and branch libraries within the City” and other duties as described.

The Board Policies were established by the Board of Library Commissioners and provide guidelines for the operation of the Library Department. These policies are subject to review and may be revised or added to at any time by Board Resolution. The Board of Library Commissioners may ask the City Librarian to review any or all policies at its discretion

The Library Commission policies supplement and complement all applicable City, County, State and Federal codes and regulations including the City Charter, Mayor’s Executive Directives and current memorandums of understanding.

The operating policies and practices of the Board of Library Commissioners are detailed in Appendix A.

(Revised 5/19/05)

1:302 Library Organization: The organizational structure of the Library Department is presented to the Board of Library Commissioners for its information and receipt on an annual basis. The City Librarian shall provide the Board with the organization chart at the beginning of the new fiscal year, once the budget for the Department has been finalized and approved by the Mayor and the City Council.

If there are any significant organization changes that are proposed as part of the public budget process, those changes will be presented to the Board of Library Commissioners when they are presented with the proposed budget. Additionally, if there is any significant change to the organization structure during the fiscal year as a result of budget issues, those changes will be presented to the Board of Library Commissioners for their information.

(Revised 3/24/05)

1:303 Service Hours: The Board of Library Commissioners delegates to the City Librarian the authority for determining service hours of library agencies in accordance with such broad guidelines as may be established by the Board. The City Librarian will notify the Board if there is a significant change in library service hours.

(Revised 3/24/05)

1:304 Volunteers: The Los Angeles Public Library is recognized throughout the country for the high quality service and assistance it provides the public through the Central Library, branch libraries and electronic information network. The Board of Library Commissioners supports the development of programs that include the use of volunteers and supports the development of training for volunteers.

The use of volunteers within the Los Angeles Public Library is intended to extend and enhance the services provided by the Library. Volunteers are not replacements for Library staff. The Library Department will support the volunteer program by providing training, supervision and assistance. The Library staff has the responsibility for recruitment, assignment of tasks, training, supervision and evaluation of volunteers.

Individuals who wish to volunteer at the Los Angeles Public Library must apply for a particular library service or program at the branch library, Central Library subject department, or coordinating office (Children's Services, Young Adult Services, Volunteer Services).

Volunteers who work with children are required to be fingerprinted for a background check to obtain local, state and federal summary criminal history information as required by California law. Volunteers who do not pass the background check will not be permitted to work with young people.

Volunteers working in libraries must comply with the policies and work rules of the Los Angeles Public Library.

Volunteer opportunities include, but are not limited to:

Central Library Docents – Volunteers are trained to give guided tours of the Central Library and for other functions at the Central Library.

Grandparents and Books – Adults are trained to read to children at library facilities. Volunteers are supervised by Children's Services and Senior Librarians in branches and Central Library.

Adult Literacy – Volunteers are trained to tutor adults in literacy skills. Volunteers tutor at designated LAPL Adult Literacy Centers. Volunteers are supervised by Volunteer Services and the local literacy coordinator.

Branch and Central Library Subject Departments – Volunteers are trained to perform various tasks to support the circulation of library materials. These volunteers are supervised by either the Senior Librarian or designated staff members.

The Library Department shall recognize those individuals who regularly contribute their time and efforts to supplement the basic library service provided by the City. This recognition may include "Certificates of Appreciation" and other recognition in accordance with Section 1:312 Recognition in Branches."

(Revised 3/24/05)

1:306 Support Groups: The Board of Library Commissioners recognizes the importance of support groups and encourages people in communities throughout Los Angeles to support the public library. Each support group associated with the Los Angeles Public Library is independent of the Library and other support groups.

Recognition in the library system of donors to support groups shall be governed by the Recognition Policy in Section 1:312.

1. Friends of the Library Groups

There are more than 70 Friends groups. Some groups were established in the early 1970s; many were established in the 1980s. New Friends groups have been established as new branch libraries are opened.

Friends groups are authorized by the Board of Library Commissioners by Memorandum of Agreement (MOA) to engage in activities that increase community awareness of the library, provide volunteer and program support, raise funds to enhance library services of a branch, department or special service, and advocate for the financial support of the Los Angeles Public Library.

A MOA between the Los Angeles Public Library and Friends groups shall be approved by the Board of Library Commissioners and be entered into by each Friends group for a term of three years, and be signed by the City Librarian and the President of the Friends group.

Friends of the Library groups that hold book sales or raise funds in other ways must obtain tax-exempt status. Funds raised by Friends groups will be used to augment, not replace City funding in keeping with the policy of the Los Angeles City Council.

Each Friends groups shall provide to the City Librarian and Board of Library Commissioners an annual information sheet of current officers and an annual financial report.

2. Library Foundation of Los Angeles

The Board of Library Commissioners adopted a motion in 1992 to provide for the establishment of a 501(c) (3), the Library Foundation of Los Angeles.

The Library Foundation of Los Angeles is incorporated as a California non-profit public benefit corporation, governed by its Articles and Bylaws under the direction of a Board of Directors.

A MOA between the Los Angeles Public Library and the Library Foundation of Los Angeles shall be approved by the Board of Library Commissioners.

The specific purposes of the Foundation are (1) the solicitation of private contributions to support the Los Angeles Public Library's collection enhancement and selected capital improvements, and to expand services that provide greater

access to learning for the City's burgeoning multicultural population, and (2) to provide funding for projects which complement but do not supplant the responsibility of the City of Los Angeles for continuing maintenance of the Los Angeles Public Library systems, facilities, staff, and programming. The foundation is authorized to raise funds for those purposes.

The Foundation shall provide annual, audited financial statements to the City Librarian and the Board of Library Commissioners.

(Revised 6/23/05)

LIBRARY BUILDINGS

1:310 Naming of Branch Libraries.

The Board of Library Commissioners has sole authority for naming branches.

Historically, branch libraries have been named for their geographic location, for American authors, for outstanding Californians and for local community leaders.

Branch libraries are neighborhood libraries identified and located by the names of their respective communities. In meetings and forums throughout the city, people have expressed their desire for branch libraries to be named for the community.

New branch libraries will be named for the communities in which they are located. There is an important continuity and community identification with the name of each library that provides a sense of place, stability, and pride for people in the City of Los Angeles.

Existing branch libraries shall retain their current names and will not be subject to change.
(Revised 1/13/05)

1:312 Recognition in Branch Facilities.

To acknowledge citizen involvement and contributions to branch libraries, the Board of Library Commissioners may recognize individuals or organizations that have made substantial efforts or donations to enhance and improve library services in the Los Angeles Public Library:

- A. The Board of Library Commissioners may dedicate a branch library in memory of an individual and approve the design and placement of a plaque within the library with the individual's name. Recommendations for the dedication of a branch library may be accepted and processed in accordance with the following requirements:
 - 1. A written recommendation must be submitted to the Board of Library Commissioners to include a justification for the proposed dedication.
 - 2. The justification shall include the person's prominent contributions to humanity, to the city, to the library, or to the community, and should demonstrate that the character and achievements of the individual set standards of excellence, served as a role model, and reflected the principles and ideals of American democracy, its diversity and plurality.
 - 3. The recommendation shall be posted in the libraries and on the Library's website for three months for review and the opportunity for comment by the public.
 - 4. Library staff will evaluate the recommendation and community input in a report to the Board of Library Commissioners for its consideration of the request.

B. The Board of Library Commissioners may name a community meeting room or area of the branch in honor or in memory of an individual, and approve the design and the placement of a plaque with the individual's name. Recommendations for naming a community meeting room or area of the library may be accepted and processed in accordance with the procedures in 1:312 A above.

C. The Board of Library Commissioners may recognize significant donations to the Library, the Friends of the Library, or the Library Foundation of Los Angeles and approve design and the placement of a donor recognition plaque for gifts in the following categories:

- Silver - donors of \$1,000 to \$4,999
- Gold - donors of \$5,000 to \$9,999
- Platinum - donors of \$10,000 to \$24,999
- Diamond - donors of \$25,000-\$99,999
- Angel - donors of \$100,000 and above

D. The Board of Library Commissioners may recognize the many generous donors who give at levels below \$1000 through bookmarks placed in library books, the maintenance of a "Donor Book" in the library or through a list on the Friends of the Library website.

E. The Board of Library Commissioners may recognize the contributions of volunteers in the Los Angeles Public Library and approve the design and the placement of a plaque for volunteers in the following categories:

- 10 Years of Service
- 15 Years of Service
- 20 Years of Service
- 25 Years of Service

F. The Branch Recognition Policy herein complements and does not change the Library Foundation of Los Angeles Policy on recognition of major donors

(Revised 1/13/05)

1:314 Sale of Surplus Property

POLICY ON THE SALE OF SURPLUS PROPERTY

The Board of Library Commissioners, under Charter Section 534 "Library Property," - *"Acquisitions of real property by the City for library sites shall first be approved by the Board of Library Commissioners. The Board shall have full control over all library sites and none of these sites shall be devoted to any other purpose in whole or in part without permission from the Board."* approves the sale of Library Department surplus property when branches vacate old library buildings and move into new branch facilities and when library facilities are no longer needed for the operation of the Library Department.

At such point as the Library Department is aware that it will have surplus property, the City Librarian will notify the Board of Library Commissioners of that fact. That notification will occur not less than one year before a property is to be vacated. Each property to be vacated will be considered on an individual basis.

The Board of Library Commissioners will review and discuss the property to be vacated and forward its decision to the Mayor for review. Library staff will also discuss the property to be vacated with the City Council Member in whose district the property is located.

The Board of Library Commissioners' final decision on each individual surplus property will then be forwarded to the appropriate parties so that the final disposition of the property can be made in accordance with the regulations put forth in Chapter 1, Article 4, of the City of Los Angeles' Administrative Code.

(Resolution No. 2004-9 (C-7); Adopted 3/4/2004)

1:316 Exterior Placement and/or Display of Donated Items

The Board of Library Commissioners has the sole authority for approving the placement and/or display of donated items on exterior Library property, including Maguire Gardens at the Central Library. The exterior areas of Library facilities provide much-needed green space for relaxation and enjoyment of the library facilities. They also provide a habitat for different species of animals and plants, especially at the Central Library, which is located in an urban area where parks are few and far between.

The Board shall have authority to approve the acceptance and placement of items for display on the exterior grounds of library facilities as follows:

- A. No donation or gifts shall be accepted for display on the existing landscaped (green space) sections of any Library facility, unless the item is considered art or natural landscape material such as trees, flowers, and/or shrubs. Plants should also require minimal maintenance.
- B. The acceptance of a donation or gift for display on the exterior hardscape shall be at the discretion of the Board and shall not interfere with, or be placed on, existing vegetation or pedestrian access to the facility.
- C. Under no circumstances shall the donated item approved for display on exterior Library property include any signage or language construed to be an endorsement, promotion, or advertisement.

(Resolution No. 2009-42; Adopted 7/16/2009)

PUBLIC INFORMATION

1:322 Use of Library Facilities and Meeting Rooms

The Los Angeles Public Library (LAPL) has facilities and meeting rooms available for public use. Facilities and meeting rooms must be reserved in advance and an application must be completed. LAPL does not discriminate in making its premises available for use on the basis of race, color, national origin, religion, sex, sexual preference, age or physical limitation. The fact that a group or organization is granted permission to meet in the Library in no way constitutes endorsement of the policies or beliefs of that organization by the Library or City of Los Angeles.

I. Reservation Priorities

LAPL in its sole discretion will determine the number of events to be held on a daily basis and/or simultaneously in its facilities.

- A. The Los Angeles Public Library has first priority on all dates. LAPL also has the right to preempt any event for a Library event. In such rare instances, the Library will put forth every reasonable effort to assist the group in reserving another date or Library facility or meeting room.
- B. The Library Foundation of Los Angeles and its major donors and other LAPL support groups have second priority on all dates.
- C. Neighborhood councils have third priority on all dates.
- D. All other organizations, municipal agencies, individuals and groups have fourth priority on all dates, and may reserve events on a first come, first serve basis.

II. Indemnification and Insurance

Outside (non-City) individuals and groups that use City facilities for meetings and events must comply with the standard insurance and indemnification requirements that are established by the City.

III. Use

The Los Angeles Public Library encourages the use of its meeting rooms by public and private groups for cultural and community programs and meetings. To allow for diverse use, weekly classes are not permitted unless it is a Library program.

It is highly recommended that Library meeting rooms and venues be used only during the hours the Library is open to the public. If a meeting room must be scheduled outside the Library's service hours, an additional form related to staff and fees must be completed.

Damage or misuse of Library property may affect the ability to utilize the meeting venue in the future.

IV. Fees

The Board of Library Commissioners approves the fines and fees charged by the Library on an annual basis. The facility rental fees and staff service fees are included in a separate attachment.

Waiving of Fees:

1. The City Librarian, or his/her designee, determines whether or not fees will be waived utilizing the guidelines listed under No. 3 of this section. An Application for Fee Waiver must accompany the Application for Use of Facility.
2. For all events, staff fees as related to security, event coordinator, audiovisual coordinator, event attendants, custodial, etc. are not waived.
3. The following are the conditions by which facility fees can be waived:
 - a. The event is open to the general public free of charge and is educational and cultural in nature.
 - b. The event is conducted or actively co-sponsored by the Los Angeles Public Library.
 - c. The event is conducted by the Library Foundation or other LAPL support group.
 - d. The event is sponsored by the Library Foundation donor as delineated in the Fines and Fees schedule as approved by the Library Commission.
 - e. The event is conducted by a neighborhood council.
 - f. The event is conducted by a City of Los Angeles department or commission, county, state, federal or municipal organization and is open to the public or community groups.
 - g. The event is conducted by an elected official and is open to the public or community groups.
4. Conditions in which facility fees are not waived:
 - a. The event charges admission and is not sponsored by the Library Foundation or a Library support group.
 - b. Events in which present or future financial gain is sought such as: Exhibits of displayed artwork for sale; educational seminars whose purpose is the future sale of financial services or other products, etc.
 - c. Staff meetings of City, county, state, federal, municipal or other organizations.

- d. Events held by an elected official or any organization that involve raising funds for a political campaign.
- e. Meetings that are intended for members of a club or group.

(Revised 4/21/05)

1:323 Displays in Libraries: Limited space is available in most library facilities for displays and bulletin board postings to promote library programs and services. If additional space is available, the library may accept material from non-profit organizations and institutions for cultural and educational material of value to the community.

The material must be submitted to the head of the appropriate branch or department for approval. Material will be posted if space is available, on a first-come, first-served basis and will be removed at the library's discretion. The following will be the priority order for accepting material from an agency: Library and Library Support groups, City of Los Angeles, Neighborhood Councils, county, state and federal agencies, general cultural or educational organizations.

Material for political and for profit activities will not be accepted. Anonymous notices, or those that do not clearly indicated the identification of the group or agency responsible for the posting will not be accepted.

The library is not responsible for loss or damage or posted materials.

(Revised 6/9/05)

1:324 Use of Exhibit Facilities: Exhibit facilities at Central Library and branches promote the educational and cultural mission of the Los Angeles Public Library. Exhibitions enhance access to the library's cultural resources and programs, attract diverse audiences and stimulate interest in the world of ideas and books.

The Library has a formalized exhibition program. Resources may be drawn from the Los Angeles Public Library collections, or from curated exhibitions created by other libraries, museums, or agencies. The City Librarian directs the exhibition committee in the selection, approval and scheduling of all exhibitions for the Library. The City Librarian is authorized to enter into and sign agreements with entities that are providing exhibitions for the gallery spaces at the Central Library and spaces for exhibitions in branch libraries.

(Revised 6/9/05)

1:325 Animals in Libraries

Animals are not allowed in libraries except for animals that assist the disabled.

(Revised 6/9/05)

LIBRARY SERVICES AND CIRCULATION OF MATERIALS

1:330 Library Cards and Circulation of Materials

1. Library Card Registration: The Los Angeles Public Library issues free library cards to all borrowers who meet identification requirements. For borrowers under the age of 18, the signature of a parent or guardian is required on the library card application form.
2. Confidentiality of Library Records: An electronic file of all Los Angeles Public Library registered cardholders is maintained by the Library Department. The information in this file is confidential and subject to Government Code of the State of California, Section 6254(j) and 6267, regarding the confidentiality of library registration and circulation records.
3. Circulation of Materials: Most of the Los Angeles Public Library collection can be borrowed by the public with a valid library card. Many resources of the Los Angeles Public Library system are also made available to the public through the Library's electronic reservation system and interlibrary loan. Some materials are designated "REFERENCE" and are not ordinarily intended for home use.

The standard loan period for most print materials is 21 days, with the privilege of renewal, except under certain conditions. There are various loan periods for audio-visual materials. Other loan periods are possible and may depend on the type of material (and borrower).

Fees for lost or overdue library materials, or other fee-based services, are established annually by the Board of Library Commissioners. Uncollectible fines and lost library materials charges will be canceled after a period of three (3) years.

(Revised 5/19/05)

1:331 Guideline for Fees

1. Use of Library Materials: As a free public library, no charges are made for the use of library resources (print, electronic, and other media) to those persons who qualify for free borrowers' cards.
2. Loss or damage: To reimburse the Library for lost materials, the patron will be charged the recorded cost of the materials, plus a processing fee. In the instance of damage, the patron will be charged a fee equal to the materials and handling cost required to restore the material to acceptable condition. An insurance fee may be charged to protect the patron against excessive damage costs. The borrower may replace the lost item in lieu of a cash payment; however, the processing fee must be paid.

3. Sale of Publications: When a charge is made, the sale price of library publications will be sufficient to recover printing and binding costs.
4. Fee for Reproduction: Reproduction fees may be set to recover the cost of materials, labor and equipment.
5. Mailing Charge: Charges will be made to recover mailing costs.
6. Fees for Overdue Materials: The total overdue fines on a given item shall not exceed the recorded cost of the item.
7. Uncollectible Fines: A recovery processing fee may be charged for uncollectible fines and materials. Uncollectible fines and lost library materials charges will be cancelled after a period of three (3) years.
8. Bad Check Collection Fees: The fee schedule as approved annually by the Board of Library Commissioners shall be applied to any check that proves to be non-negotiable or is not ILL Charges. A handling fee and any charges required by the lending library shall be honored.
9. Computer Print-Outs: Fees may be charged for printing electronic based information.
10. Extramural Fees: Are paid by the borrower of the material.
11. CDs, DVDs, Floppy Disks and other Computer Peripherals: Fees may be charged to recover the costs of providing electronic data storage devices to library users.

(Revised 5/19/05)

1:333 Charge Card Program. The Board of Library Commissioners hereby establishes the policy of accepting major charge cards for goods and services rendered and authorizes the City Librarian or designee to manage the Charge Card Program, including execution of the documents necessary for implementation or modification. (1992-29) (C-18).

SELECTION AND MAINTENANCE OF LIBRARY COLLECTIONS

1:340 MATERIALS SELECTION POLICY

PURPOSE

The Materials Selection Policy is designed to support the Library's mission to provide free and easy access to information, ideas, books, and technology that enrich, educate, and empower every individual in our City's diverse communities. The Los Angeles Public Library recognizes that the residents of Los Angeles have widely diverse interests, backgrounds, cultural heritages, social values and information needs. This policy is meant to document current collection management policy, further public understanding of the purpose, nature and philosophy behind the library's collection management practices and guide library staff in the development and maintenance of the collection.

POLICY

Library Materials Definition

"Library materials" include, but are not limited to print (e.g. books, magazines, newspapers), non-print (e.g. audio book, compact disc, DVD, and digital formats (e.g. databases, e-books and e-audio books).

Authority and Selection Responsibility

Library materials selection is vested in the City Librarian and delegated to members of the professional staff.

Materials Selection Criteria

Staff chooses popular, research, and retrospective materials for varying reading and age level interests, for informational, educational and entertainment purposes. The collection offers users a variety of formats, languages, viewpoints and subjects.

Selection of library materials is made on the basis of interest, popularity, informational content, collection and subject strengths, appropriateness and relevance to and for the people of Los Angeles. The general criteria considered in selecting materials include:

- Budget
- Popularity and anticipated demand by patrons
- Significance and value to the collection
- Qualifications of author or producer
- Suitability of subject and style for intended audience
- Suitability and quality of format
- Space limitations
- Currency or timeliness of material
- Cost and availability through approved vendors
- Attention given to the item by reviewers and general media

- Availability of materials in other libraries or through inter-library loan
- Technical quality of non-book materials
- Local and regional interest

In selection, consideration is given to the work as a whole. Materials need not meet all of the above criteria, nor are they to be excluded because of:

- The author's race, national origin, ancestry, sex, sexual orientation, age, religion, creed, marital status, disability, or medical condition.
- Frankness or coarseness of language
- Controversial nature of an item including cover art
- Endorsement or disapproval of an item by an individual or organization
- The possibility that the materials may inadvertently come into the possession of children
- Status as a self-published item

Materials in New and Emerging Formats

The selection criteria remain the same for materials in new technologies and emerging formats that are selected by the library.

Self-published materials and materials in new and emerging formats may be added to the collection if they meet the Library's materials selection criteria. Special consideration will be given to self-published items of local or regional interest.

Although the Library attempts to provide material on every subject and grade level, the ability to meet text book needs of all levels is limited. Textbooks may be selected when they are the best or only source of information on the subject and not because a textbook is assigned as school curriculum.

General selection criteria considered for print and non-print materials apply to digital formats as well. In addition, the following criteria are considered for e-content:

- Compatibility and accessibility
- Usage
- Content and coverage
- Relationship of the resource to the print collection
- Remote accessibility
- Design and ease of use
- Sustainability of the technology
- Availability and price of content in other formats

While every attempt is made to maintain quality and authoritative links to Internet information, the Los Angeles Public Library does not have control over information on the World Wide Web and cannot be held responsible for the content, accuracy, or quality of the information received.

Access

The Los Angeles Public Library subscribes to the provisions of the *Library Bill of Rights* and the *Freedom to Read Statement* as adopted by the American Library Association. These documents are attached as a part of the Materials Section Policy. All individuals have the right to choose which library materials they will use. However, no individual or group has the right to restrict the freedom of others to read or view whatever they wish.

At the Los Angeles Public Library, children and young people have access to all parts of the library. The library does not assume the role of the parent, but rather encourages parents, guardians, or caretakers to be involved with their child's use of the library resources and to guide their child's selection of library materials in supporting their individual family values. Library staff does not monitor the materials children choose to check out or the child's usage of digital resources. The responsibility for the reading and viewing choices of children rests with parents and legal guardians.

Requests for Reconsideration of Materials

The Los Angeles Public Library welcomes interest in its collection and recognizes that a library with a balanced collection may cause individuals to take issue with the selection of specific items. No book, or other material is automatically removed from the collection because of individual objections. Library patrons questioning materials in the library collection may complete a Request for Reconsideration of Library Materials/Resources form for staff response.

Collection Maintenance

To maintain the quality and relevancy of the collection, the library regularly withdraws or replaces worn and outdated materials as well as unnecessary duplicate copies that are no longer useful to the collection. Due to space limitations, materials may also be withdrawn if they are not used or are superseded by a new edition or a more authoritative work on the same subject. Items may also be deleted if a more desirable format for the content has been added to the collection.

Material Donations

All gifts become the property of the Los Angeles Public Library and may be used or sold by the library. In accepting a gift of materials the library reserves the right to decide whether items donated should be added to the collection. Material donations may not be added to the collection if the materials are outdated or not of reference or circulating value to the library; in poor condition; or if the material is a duplicate of an item of which the library already has a sufficient number of copies. All donated material is judged by the same standards of selection as those applied to the purchase of new materials.

Library staff makes no judgment as to the monetary value of donated materials.

Sale of Withdrawn and Gift Books

Withdrawn and gift books which are determined to be surplus by the Library may be sold by LAPL support groups for the benefit of the Library. The Library does not directly sell surplus library materials.

(Revised 4/11/13)

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

The Freedom to Read

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think

critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are safer, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of

expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

American Library Association; Association of American Publishers

Subsequently endorsed by:

American Booksellers Foundation for Free Expression

The Association of American University Presses, Inc.

The Children's Book Council

Freedom to Read Foundation

National Association of College Stores

National Coalition Against Censorship

National Council of Teachers of English

The Thomas Jefferson Center for the Protection of Free Expression

GIFTS

1:350 Gifts

The Los Angeles Public Library receives gifts from the Library Foundation of Los Angeles, Friends of the Library groups, other organizations and individuals. The Board of Library Commissioners and the City Librarian accept gifts that enhance library services and improve library facilities.

The acceptance of gifts of cash, furniture or equipment, or other real property less than \$1,000 shall be delegated to the City Librarian. The City Librarian shall determine the acceptability of the gift including an evaluation of any restrictions pertaining to its use and shall determine the appropriate fund for receipt of the gift or the appropriate library location for the donated real property.

The acceptance of gifts of cash, furniture, equipment or other real property of more than \$1,000, gifts of securities, and gifts of art works shall be approved by the Board of Library Commissioners by resolution. The City Librarian shall recommend the appropriate fund or the appropriate library location for the donated real property. In accordance with the City Charter, gifts of art works must also be approved by the Los Angeles Cultural Affairs Commission.

The acceptance of books and other library materials shall be designated to the City Librarian. Library staff will evaluate the gifts for addition to the library collection. If the books or other library materials are not needed in the library collection, they may be disposed of or given to a Library Friends group for book sales.

The Board of Library Commissioners shall acknowledge the donation of gifts accepted by the Commission with a letter of appreciation. Gifts may also be acknowledged in accordance with the Library Recognition Policy.

The solicitation of gifts of the Los Angeles Public Library may be made by the Library Foundation of Los Angeles in accordance with the Memorandum of Understanding between the Library Foundation and the Library as approved by the Board of Library Commissioners.

The solicitation of gifts for the Library of more than \$1,000 may be made by the Friends of the Library groups as approved by the Board of Library Commissioners.

The Library Commission Executive Assistant shall prepare an annual report for the Board of Library Commissioners on gifts to the library.

Exterior Placement and/or Display of Donated Items shall be governed by Policy 1:316

(Revised 8/18/05)

PERSONNEL

1:370 Personnel and Salary Resolution. Employee Relations Policy. It shall be Library policy that except in unusual circumstances, or where it is not applicable, nor within the scope of the Board's authority, the Library Department shall have the same provisions, salaries and benefits for Library employees as are adopted for Council, controlled departments. Therefore, the Library adopts the provisions of the Los Angeles City Administrative Code applicable to the Library and under the authority of the Board of Library Commissioners.

The Board of Library Commissioners reserves the right, if deemed necessary, to further review and adopt exceptions to present or future provisions of the Los Angeles City Administrative Code which are applicable to the Library and under the authority of the Board of Library Commissioners.

SECURITY AND SAFETY

1:381 Providing Security and Safety. In order to encourage the optimum use of the libraries under its control and jurisdiction, the Library Department will attempt to: provide a safe environment for patrons and staff, protect public and personal property, and identify and abate hazardous conditions.

1:382 Library Department Rules and Expected Behavior. To provide a standard of acceptable behavior, the following rules governing the use of the Library will be posted and enforced:



LOS ANGELES PUBLIC LIBRARY

RULES OF CONDUCT

Welcome to the Los Angeles Public Library. The Library's first priority is public service. Every day, thousands of people visit the Los Angeles Public Library to read, select materials, use electronic resources, attend programs and request information from staff.

The Board of Library Commissioners has established Rules of Conduct so that library users and staff have a clean, pleasant and safe environment. We need your cooperation to reach this goal.

THE FOLLOWING ARE PROHIBITED AT THE LOS ANGELES PUBLIC LIBRARY:

1. Engaging in any activity prohibited by law.
2. Disruptive or unsafe behavior including interfering with library employees in the performance of their duties, or obstructing or intimidating patrons of the library, or entering non-public areas without authorization (California Penal Code Section 602.1(b)).
3. Use of loud, abusive, threatening or insulting language.
4. Sexual misconduct such as exposure or threatening touching.
5. Activities or behavior that may result in injury or harm to any library patron or staff member, including challenging another person to fight or engage in any fight. Weapons of any kind are prohibited on Library property.
6. Patrons with hygiene conditions, including, but not limited to, clothing odor, body odor and lice, that interfere with the use and enjoyment of the library by other library patrons or with the functioning of library staff.

7. Activities or behavior that may result in damage to library property, including making any attempts to damage computer equipment or alter software configurations.
8. Eating, drinking or displaying open food or liquid containers, except in areas designated for those purposes and/or when served with prior approval of the Library.
9. Sleeping, smoking or misuse of Library restrooms or water fountains (including bathing, shaving, and changing or washing clothes).
10. Animals, except for service dogs.
11. Bicycles, shopping carts, or other large wheeled conveyances are not permitted inside library buildings. Wheelchairs and strollers are only permitted if being used for the transport of an adult or child. Skates, skateboards, and collapsible scooters must be carried while on library premises.
12. Petitioning, soliciting or distributing/selling merchandise without the express permission of the City Librarian.
13. Unnecessary noise, including the use of cell phones, pagers, headphones, and other communication, audio and electronic devices, which disturb other patrons or staff.
14. Staring at, or following, a patron or staff in a manner that reasonably can be expected to disturb him or her, including photographing or filming persons without prior approval from a senior staff member.
15. Monopolizing library space, seating, tables, stairways or equipment to the exclusion of other patrons or staff, or obstructing aisles or doorways with personal belongings.

IN ADDITION:

The Library is not responsible for children who are left unattended in or on the grounds of the library. Misconduct or misuse of library property on the part of juveniles will be reported to their parents.

The Library is not responsible for personal items that are lost, stolen or damaged in or on the grounds of the library.

Patrons shall wear garments covering the upper and lower torso of their bodies. Shoes must be worn at all times.

ENFORCEMENT:

The above enumerated rules are not intended to be a complete list of violations, but are intended for guidance only. Library staff and/or local law enforcement officers are authorized to expel persons who, advised of the regulations above, fail to comply with them. Such personnel also reserve the right to take appropriate action(s) against any other behavior which can reasonably be deemed to be offensive to library patrons or staff.

The Los Angeles Public Library reserves the right to restrict the use of its facilities and premises to persons who do not abide by the Library's Rules of Conduct. Failure to comply with the Library's established rules and policies could result in expulsion from the Library and revocation of Library privileges for a period of one day to one year, or in arrest and prosecution under California Penal Code Section 602.1(b).

Any person whose privileges have been denied or revoked for more than 30 days shall have a right to appeal to the City Librarian. Except for violations of Rule 2, enforcement will be held in abeyance pending the appeal. The appeal must be filed within seven (7) calendar days of the date that the patron is notified that the patron's privileges have been revoked. The decision of the City Librarian shall be final and conclusive.

THE LOS ANGELES MUNICIPAL CODE SECTION 63.93 CITES ADDITIONAL LIBRARY REGULATIONS

(Revised 7/11/13)

1:383 Authority to Enforce Rules: The City Librarian is authorized to enforce these rules.

APPENDIX A

A STATEMENT OF GENERAL OPERATING POLICIES AND PRACTICES ADOPTED BY THE LOS ANGELES BOARD OF LIBRARY COMMISSIONERS

APRIL 17, 1974

The Los Angeles Board of Library Commissioners operates under the provisions of the Charter of the City of Los Angeles. The Commission is responsible for the "control and management" of the Los Angeles Library Department, which in turn is responsible for all libraries, branch libraries and reading rooms in the City.

The Los Angeles Public Library is one of the City's most important cultural and educational assets. The Board of Library Commissioners is dedicated to making the Library's resources available to all segments of Los Angeles' diversified population in all geographic areas of the City, and to do everything possible to encourage men, women, young adults and children to enrich their lives by utilizing the Library System.

POLICY

1. The Library Commission establishes policy for its own actions and those of the library staff.
2. The Board of Library Commissioners establishes policy on public library service, including facilities and plans for service, for the citizens of Los Angeles.
3. Administration of policy is delegated to the City Librarian.
4. The Library Commission adopts an annual budget and other measures necessary for the operation of the Library Department such as the Library Master Plan.
5. In its considerations, actions, and conclusions, the Library Commission operates within established laws as interpreted by the City Attorney. Whenever a question arises of concern to the Commission or staff as to legality, the matter will be referred to the City Attorney's Office. Where time is a consideration, the Commission may act upon an informal opinion from the City Attorney, with its action subject to later confirmation of the City Attorney's written opinion.
6. Outside of public meetings, Members of the Library Commission do not make commitments or agreements, real or implied, regarding policy matters. The same rule applies to such items as the awarding of contracts, purchase or sale of land, personnel matters, and the selection of Library materials.
7. When a Commissioner has reason to believe that a matter before the Board could involve a personal conflict of interest, advice from the City Attorney should be requested.

8. Each Library Commissioner decides which invitations to public or private affairs can appropriately be accepted as a member of the Commission. Whenever possible, Commissioners should be careful to indicate when they are representing the Library Commission or the City of Los Angeles, and when they are acting as individuals.
9. Commissioners do not engage in any private or profitable employment or any personal business transactions in which knowledge of Commission business or membership is a primary qualification for such employment.
10. Library Commissioners do not accept free transportation or passes, gifts or other extraordinary considerations from persons, firms or institutions concerned with matters which have or might come before the Commission.

PROCEDURES

1. The City Charter requires the Library Commission to meet at least twice a month in a public building open to any citizen. All meetings of the Library Commission conform to the principles of the Brown Act as interpreted by the City Attorney. (Prior public notice is included in the Brown Act)
2. Currently, the Library Commission meets regularly every other Thursday at 11:00 a.m. Any change in regular meeting time, day or place, will be subject to public notice. Additional special meetings of the Library Commission also conform to the provisions of the Brown Act.
3. Library Commission meetings are normally held at the Central Library, 630 W. 5th Street, Board Room, Level 4, Los Angeles 90071. In order to provide closer contact with the citizens of the City, the Library Commission may hold meetings in any of its branch libraries or appropriate buildings accessible to the public, after giving adequate public notice of such exceptions.
4. The Library Commission receives reports from the City Librarian or designated staff members on issues relating to public library service and facilities and makes final decisions on all matters within the scope of its legal powers as defined by the Charter of the City of Los Angeles.
5. The Library Commission provides as much time as practicable and constructive for single meeting for as long as necessary in order to reach an appropriate decision.
6. All directives or instructions from the Board concerning internal library matters are made to the City Librarian.
7. In addition to holding open meetings, the Library Commission invites those concerned with public library service to address written communications in time to permit consideration by the administrative staff, and whenever practicable by each Commissioner before the date scheduled for discussion and decision.

8. The Board requests that anyone wishing to make a personal appearance before the Commission send a letter to the Secretary of the Board of Library Commissioners who will then schedule a date and time for such appearance.
9. Persons appearing at Board meetings unannounced may address the Board under Public Comments on Matters Within the Board's Jurisdiction, however, such appearance in no way implies Commission consideration of an unscheduled public matter. (Brown Act Amendments Eff. Jan. 1998)
10. A total of 15 minutes shall be allocated for public comment not to exceed three (3) minutes per speaker. Items arising during the public comment portion of the meeting shall be referred by the President to the staff or Board Committee for appropriate action or report back thereon to the Board.
11. Meetings of the Library Commission are conducted according to the general provisions of Robert's Rules of Order, with certain exceptions noted by the City Attorney or alterations voted by the Library Commission within the scope of Charter provisions. Specific questions on parliamentary procedure are referred to the City Attorney if not resolved by Commissioners themselves.
12. The President presides at all Library Commission meetings. In the President's absence, the Vice President presides. If both officers are absent, the remaining members elect a presiding officer for the day. If less than three members are present, there is no meeting, no minutes or discussion of items on the agenda.
13. Agendas for regular meetings of the Library Commission are delivered to Commissioners on the Friday or Monday preceding the Thursday Board Meeting. Agendas are sent to library agencies, the City Hall Press, interested citizens, representatives of labor, the Chairperson of the Arts, Parks, Health and Humanities Committee; and a summary of board actions is distributed to all library staff members via the Staff Fax. As a courtesy, the Secretary of the Commission often advises those known to be involved in a matter that is to come before the Library Commission at a stated meeting. The agenda for a special meeting of the Library Commission is handled according to the provisions of the Brown Act.
14. Items for the Library Commission agenda must be submitted to the Board Secretary by Wednesday noon of the week preceding the Thursday meeting. The Commission may act in a regular meeting on an item not posted on its agenda for the meeting, if it determines by a 2/3 vote that the need for such action arose after the posting of the agenda, or, if the item was continued from a meeting of the body which occurred not more than five (5) days prior, or, if a majority determines that an emergency, as defined by State Law, exists.
15. The Library Commission Agenda for regular meetings always provides for the following:
 1. Roll Call
 2. Reading and Approval of Minutes
 3. Public Comments on Matters within Board's Jurisdiction

4. City Librarian's Board Reports
 5. Various Communications Report
 6. Announcements and Scheduling of Matters Pending and Future Agenda Items
 7. Adjournment
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16. In its conduct of public meetings and handling of public matters, the Library Commission takes cognizance of the importance to the City of a legal record which adequately and appropriately reflects its consideration and action, including a record of votes cast by name.
 17. All Library Commission meetings will be tape recorded as completely as possible. When the Commission does not meet in a room where permanent recording equipment has been installed, portable equipment will be used as is practicable. Rules and procedures governing the use of tapes are stated in Board Resolution No. 1969-83 (attached).

LIBRARY RESOLUTION NO. 1969-83

RESOLVED, That tape recordings made of meetings of the Board of Library Commissioners be maintained and used as follows:

- (1) All Commission meetings are to be taped as a convenient aid to the Commissioners, the Commission Secretary, and such others as may require access to a verbatim record of Commission discussions.
- (2) The Library Commission tapes are to be maintained by the Commission Secretary, who will authorize the use of the tapes according to the rules herein outlined.
- (3) Library Commissioners and interested citizens may have access to the tapes at the convenience of the Commission Secretary. All arrangements for removal of Commission tapes from their appointed storage must be authorized by the Commission Secretary. Use of the tapes by listeners must be under appropriate supervision, the extent of such supervision to be determined by the Commission Secretary.
- (4) The recordings of Commission meetings are never to be cut, spliced, erased, or in any way altered. Any damage to a tape must be reported at once to the Commission Secretary.
- (5) Tape recordings of Commission meetings will be preserved for a period of five years, except as the Commission may otherwise instruct the Commission Secretary.
- (6) Anyone requesting a transcript of all or a portion of a Commission tape must provide a transcriber at their own expense.
- (7) Anyone requesting a duplicate (i.e., taped) copy of all or a portion of a Commission tape must reimburse the Library for materials, equipment, and time

necessary to make the duplicate copy. Provision of duplicates must be at the convenience of the Commission Secretary and Administration Office.

Revised 4/2004

BROWN ACT AMENDMENTS 1998

PUBLIC RIGHTS

1. Public may comment on agenda items before or during consideration by legislative body. Time must be set aside for public to comment on any other matters under the Board's jurisdiction. (54954.3)
2. Meetings may be broadcast, audio-recorded or video recorded so long as the activity does not does not constitute a disruption of the proceedings. (Findings of disruption must be reasonable).
3. Public may not be asked to register or identify themselves or to pay fees in order to attend public meetings.
4. The total time allocated for public testimony may be established by the legislative body, including when that time shall be allotted during the meeting, time limits allocated on any one item, and amount of time given to each speaker. (Section 54954.3 b).

LOCATION OF MEETINGS

1. All meetings must be conducted within the boundaries of a body's jurisdiction unless it qualifies for a specific exemption. (54954)

PUBLIC RECORDS

1. Materials provided to a majority of a body which are not exempt from disclosure under the Public Records Act must be provided, upon request, to members of the public without delay.

REQUIRED NOTICES OF MEETINGS AND AGENDAS

1. **REGULAR MEETINGS:** Requires that agendas (calendars) for each regular meeting of the Board of Library Commissioners shall be posted at least 72 hours before the time of the meeting. Said agenda shall contain a brief description of each item of business to be transacted or discussed at the meeting. No other (approximately 20 words in length) business may be considered except as otherwise provided by law. (Section 54954.2 _ added)
2. **SPECIAL MEETINGS:** 24 hour notice must be provided to members of legislative body and media outlets including brief description of matters to be considered or discussed.
 - a. Determination by a two-thirds vote that the need to take action arose subsequent to the 72-hour posting of the agenda. (The need actually arose not for reasons of scheduling, convenience, or oversight).

- b. The item was posted on a calendar for a prior meeting not more than five (actual) days before the meeting and was continued from said prior meeting to the current meeting.
- 3. EMERGENCY MEETINGS: One (1) hour notice in case of work stoppage or crippling disaster. (54954.2(b))
- 4. CLOSED SESSION AGENDAS: All items to be considered in closed session must be described in the notice or agenda for the meeting. Prior to each closed session, the body must orally announce the subject matter of the closed session. If final action is taken in closed session, the body generally must report the action at the conclusion of the closed session. (54954.2, 54954.5, 54957.1, and 54957.7)

Personnel Exemption

To consider appointment, employment, evaluation of performance, discipline or dismissal of an employee. With respect to complaints or charges against an employee, the employee must be notified, at least 24 hours in advance, of his/her right to have the hearing conducted in public.

Pending Litigation

To receive advice from its legal counsel concerning existing litigation, initiating litigation or situations involving a significant exposure to litigation. (54956.9(b)(3)).

Labor Negotiations

To meet with its negotiator to consider labor negotiations with represented and unrepresented employees. Issues related to budgets and available funds may be considered in closed session, although final decisions concerning salaries of unrepresented employees must be made in public.

Real Estate Negotiations

To consider price and terms of payment in connection with the purchase, sale, exchange or lease of real property.

- 5. Discussion re appointees and elected officials must be considered in open session.
- 6. Report of actions during Closed Session must be made at the public meeting during which the Closed Session is held or its next public meeting, and should include the roll call vote.
- 7. Keep record of Closed Sessions; but these are not available for public inspection.
- 8. Agendas become public records as soon as they are distributed to all Board Members.

9. Closed Session may also be held with State Conciliator who has intervened in labor relations proceedings.
10. Rules for Closed Session:
 - Prior to any Closed Session, the general reason or reasons therefore shall be stated, and may cite statute or authority under which it is being held.
 - Body may discuss only those matters covered in its statement.
 - In case of special, adjourned, or continued meetings, said statement shall be made as part of the notice provided for the special, adjourned, or continued meeting.
11. Addresses the effect of and remedies for violation of the Brown Act. (Sections 54960.1 and 54960.5)

Amendments 2004

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