

### **PURPOSE**

The purpose of this Collection Development Policy is to articulate the role of the Meridian Library District's (District) collection in the community and provide direction to staff members in their role as selectors. This Policy supports the guiding principles and Strategic Plan adopted by the District's Board of Trustees (Board) while adhering to the American Library Association's *Library Bill of Rights* and *Freedom to Read Statement*.<sup>1</sup>

### **COLLECTION DEVELOPMENT AND MAINTENANCE**

All library collection acquisitions, before being purchased or accepted as gifts, are evaluated in terms of the criteria set forth below and in the context of economic and space considerations. An item will not necessarily be judged against all criteria, but against those appropriate and applicable to it. These same standards determine the replacement, duplication, and withdrawal of materials. The responsibility for selection of library materials rests with the District staff as assigned through the Library Director.

Inclusions in the District's collection are constrained by budget and space limitations; however, as a member of the Lynx Library Consortium, an Idaho joint powers entity, the District has the right to share and receive materials from other member libraries. Other member libraries in the Lynx Library Consortium may offer specialized and comprehensive collections. Patrons may be able to access these outside collections through reciprocal borrowing or interlibrary loan.

The presence of materials and other resources in the District's collection, or their labeling, does not indicate endorsement of their contents by the District. The District uses labels as a means of organizing resources; labels serve as directional aids intended to facilitate access by making it easier for patrons to locate resources.

#### **A. In developing its collection, the District will:**

- Provide a diverse and inclusive collection that contains content by and about a wide array of people and cultures to authentically reflect a variety of ideas, information, stories, and experiences;
- Provide a collection that anticipates the needs and numbers of potential users;

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<sup>1</sup> As adopted by the Council of the American Library Association in 1953 with amendments in 1972, 1991, 2000, and 2004.

- Consider the public interest of an item, both specific and general, as expressed through requests<sup>2</sup>, suggestions, and use to develop the collection;
- Consider the availability of the same, or similar, materials in other libraries or agencies;
- Consider the need for all subjects covered and viewpoints expressed;
- Consider the effect that subjects and viewpoints selected have on developing a balanced collection;
- Consider the appropriateness to scope of the collection as it is developed;
- Consider the unique nature of each branch in developing the overall District collection;
- Consider the unique nature of digital materials in developing the overall District collection;
- and
- Accept only donations that are outright gifts.<sup>3</sup>

**B. Selectors will consider these characteristics when selecting:**

- Literary or stylistic quality;
- Content created by and representative of marginalized and underrepresented groups;
- Reputations, qualifications, and significance of author, producer, or publisher;
- Accuracy, currency, timeliness, and validity;
- Attention of critics, reviewers, awards, and public;
- Resources from self-published, independent, small, and local producers;
- Physical quality and effectiveness of format and appropriateness of format to subject;
- Cost, as measured against competing materials on the same subject;
- Resources in formats that meet the needs of users with disabilities;
- Availability of discounts and efficiency in vendors used for purchasing;
- Suitability for intended audience; and
- Availability of subscriptions and standing orders for popular materials, reference, and nonfiction items published or released annually.

In selection, consideration is given to the work as a whole. While someone may find a particular material or passage in a particular material offensive, selection of materials will be based on the factors provided above and materials are not to be excluded based solely on any one of the following:

- Representations of race, nationality, sex, gender identity, gender expression, sexuality, age, or social, political, or religious views;
- Frankness or coarseness of language;
- Controversial nature of an item, including cover art;
- Endorsement or disapproval of an item by an individual or organization; or

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<sup>2</sup> <https://www.mld.org/requests>

<sup>3</sup> *Items received as gifts will need to meet Collection Development Policy criteria before being added to the District's collection. Items that do not meet the criteria will be donated to the Friends of the Meridian Library District for sale.*

- The possibility that the resources may inadvertently come into the possession of minors; provided, however, such materials shall comply with the Children’s School and Library Protection Act as further described in “Reconsideration of Materials” below.

## **MERIDIAN HISTORY COLLECTION**

The Meridian History Collection makes materials related to the history of Meridian City, the District, and area schools and community organizations available to area residents, students, and visitors, primarily through online access.

### **A. Scope of Collection**

The Meridian History Collection is a special collection of the District and as such it uses specialized criteria for collection, acquisition, and maintenance that are different from the criteria used for other collections. The focus of the Meridian History Collection is primary and secondary materials that further the understanding of the civic, social, religious, cultural, political, and economic life of Meridian area residents, past and present. The Meridian History Collection gathers, organizes, digitizes, catalogs, and makes accessible to the public documents and publications that reflect activities, events, places, organizations, institutions, and services of the community of Meridian.

### **B. Limitations and Restrictions**

**The District’s physical collections are not archival. No extraordinary efforts are made to retain last copies or out of print titles.** The Meridian History Collection strives to preserve materials it collects and make them available through digitization. Due to HVAC and physical space limitations, the Meridian History Collection cannot serve as a climate-controlled archive for large, valuable, or delicate items.

The Meridian History Collection does not serve as a legal repository for any material, including city or school material, and the District is not responsible for selecting, retaining, or providing access to any material required by law to be kept as official documents or archival records.

The donating agency or individual is responsible for determining the legal status and value of any and all documents donated to the District.

### **C. Acquisitions**

The Meridian History Collection is made up of materials from donors, area agencies, publishers, and other reliable sources. Materials must be accurate, suitable for community need or interest, and serve a public rather than personal interest.

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*Adopted by the Meridian Library Board of Trustees May 14, 2013*

*Revised and Board Approved June 26, 2024*

## **D. Donations and Deaccessioning**

Gifts of material to the District for the Meridian History Collection are accepted with the understanding and agreement that they become the property of the District and may be deaccessioned according to the guidelines of this Collection Development Policy. The District reserves the right to decline gift offers. The District will not accept gifts that are out of scope or require more resources to preserve and make available than the District can provide. All materials must be free of dirt, mold, moisture, and pests, and must be in good condition. The District will accept digital image donations of materials that are within the scope of the Meridian History Collection. Digital image donations can be made by allowing the Meridian History Center to use professional scanning equipment to digitize physical materials. Digital image donations may be included in digital collections at [historycenter.mld.org](http://historycenter.mld.org), which are made freely available to the public.

Withdrawn items may be offered to other depositories, donated to the Friends of the Meridian Library District, or discarded.

## **RECONSIDERATION OF MATERIALS**

The District is committed to upholding the rights of District library users to freely access quality materials that inform, educate, enlighten, and encourage critical thinking. This Collection Development Policy, the *Library Bill of Rights* and the *Freedom to Read Statement* all embody this commitment.

Only narrowly defined categories of speech are not protected by the First Amendment. For example, obscenity is not protected speech, and neither is “material harmful to minors,” which is a subset of obscenity. If materials do not meet one of the narrowly defined categories of unprotected speech, they are speech protected by the First Amendment. Removing library material solely on the basis of its content or references without context to the whole may amount to censorship in violation of the First Amendment. Stated another way, materials must be judged for obscenity as a whole and not on the basis of isolated passages.

In April 2024, the Idaho legislature passed House Bill 710, the “Children’s School and Library Protection Act<sup>4</sup>,” which established Idaho Code § 18-1517B, effective July 1, 2024. The Act provides a private cause of action against the District by a minor who obtains material, or parent or legal guardian whose minor child obtained material, in violation of Idaho Code § 18-1517B, if the three following elements have been met:

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<sup>4</sup> The Children’s School and Library Protection Act applies to any public or private school providing instruction for students in kindergarten through grade 12 and to any public library.

1. The District gave or made available material harmful to minors, or the District failed to take reasonable steps to restrict access by minors to material harmful to minors;
2. Prior to filing the cause of action, the minor, parent, or legal guardian has provided written notice to the District asking for the relocation of such material to a section designated for adults only within sixty (60) days of receipt of the written notice; **and**
3. Upon receipt of written notice and subsequent to the expiration of sixty (60) days, the District Board failed to relocate the material harmful to minors to an area with adult access only.

Additionally, the Act provides a county prosecuting attorney or the attorney general a cause of action for injunctive relief against any school or public library that violates the provisions of Idaho Code § 18-1517B(2).

The District and libraries across the state of Idaho have steadfastly maintained that they do not have materials in their collections that are harmful to minors. Libraries seek to provide educational, informational, and recreational resources to kids and adults that help them better understand themselves and the world, not to cause harm.

Although the “Children’s School and Library Protection Act” provides a statutory framework to restrict access to materials on the basis of the complaint of a single person, legally binding First Amendment interpretations dictate that community and reasonable person standards apply in determining whether material is harmful to minors. In addition, First Amendment case law strongly disfavors government discrimination of materials based on content or viewpoint. The use of District materials by patrons is an individual matter. Responsibility for children’s and teens’ use of District materials rests with their parents or legal guardians. District staff are available to assist parents or legal guardians in using tools to inform their decisions on what to check out. The District does not act *in loco parentis* for unsupervised minors.

The burden is on the censor to prove that specific material meets the definition of “material harmful to minors.” The Board will fairly and impartially adjudicate claims that materials in the collection meet the statutory definition of “material harmful to minors” but will apply the statutory definition closely to ensure access to protected speech is not illegitimately restricted. Adequate procedural safeguards, including judicial determinations, are necessary to ensure protected speech is not infringed.

The District is mindful of First Amendment rights to free speech guaranteed to persons in the United States of America, including the right to access information. The District acknowledges and appreciates the fundamental role this right plays in upholding the democratic system of government in America by helping to inform and provide critical thinking skills to the electorate, and to educate minors who

represent the future electorate and must be informed and capable of critical thinking when they reach voting age.

With the foregoing in mind, this Policy details who can request the reconsideration of materials the District makes available, the options for doing so, and the procedures the Board will take to review such requests. In addition to requests for reconsideration of materials based on the allegation that such materials are harmful to minors, patrons may also submit a request for reconsideration of materials that they do not believe otherwise meet the criteria in this Collection Development Policy.

## A. Definitions

The following terms, as used in this Policy, have the following definitions:

- i. "Board" means the Meridian Library District Board of Trustees as established and defined by Idaho Code Title 33, Chapter 27.
- ii. "Material" means, as defined in Idaho Code § 18-1514(7), anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.
- iii. "Material Harmful to Minors" means, as defined in Idaho Code § 18-1514(6), material that contains nudity, sexual conduct, sexual excitement, or sado-masochistic abuse that (1) appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; (2) depicts or describes nudity, sexual conduct, sexual excitement, or sado-masochistic abuse that is patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of (i) intimate sexual acts, normal or perverted, actual, or simulated, or (ii) masturbation, excretory functions or lewd exhibition of the genitals or genital area; and (3) when considered as a whole, and in context in which it is used, does not possess serious literary, artistic, political or scientific value for minors. All three prongs of the definition must be met for material to be Material Harmful to Minors. "Nudity," "sexual conduct," "sexual excitement," and "sado-masochistic abuse" as used herein are as defined in Idaho Code § 18-1514.
- iv. "Prurient Interest" means, as defined by the U.S. Supreme Court, a shameful or morbid interest in nudity, sex, or excretion, and goes substantially beyond customary limits of candor in description or representation of such matters, and does not include a normal, healthy interest in sex.
- v. "Request for Reconsideration of Materials" means a request for the Board to reconsider whether material in the District collection meets the standards of the Collection

Development Policy and related regulations or whether the material meets the definition of Material Harmful to Minors. The District’s Request for Reconsideration of Materials Form is provided as an exhibit to this Collection Development Policy. Any person may submit a Request for Reconsideration of Materials.

- vi. “Written Notice” means notice in writing requesting the relocation of material the complainant considers to be Material Harmful to Minors to an area designated for adults only within sixty (60) days of the District’s receipt of the Written Notice. Completing and submitting Sections 1 and 2 of the District’s Request for Reconsideration of Materials Form will constitute Written Notice, but use of the Form is not required. Only a minor who obtained Material Harmful to Minors from the District or their parent or legal guardian can submit a Written Notice.

In interpreting the definition of “Material Harmful to Minors,” the Board must read the definition in conjunction with U.S. Supreme Court caselaw. Notably, such case law makes clear that the third prong of the definition—that the material, when considered as a whole, and in context in which it is used, does not possess serious literary, artistic, political or scientific value for minors—is judged on a *national* standard, not a community standard. The proper inquiry is not whether an ordinary member of the community would find serious value in the allegedly obscene material, but whether a reasonable person would find such value in the material, taken as a whole.<sup>5</sup> That only a minority of people may find value in a material does not mean that a reasonable person would not find such value in the material taken as a whole. Reasonable people may differ as to what constitutes literary, artistic, political or scientific merit. Moreover, materials may possess serious literary, artistic, political or scientific value for older Minors despite being unsuitable for young children. Accordingly, if a material is found (in the judgment of a reasonable person) to have a serious literary, artistic, political or scientific value for a legitimate minority of normal, older adolescents, then it cannot be said to lack such value for the entire class of Minors taken as a whole. The District endeavors to provide resources and services in a variety of media to meet the needs of children of all ages and abilities for their education, information and personal development and to organize and locate such media in a manner that is appropriate for the age range of intended users.

**B. Procedure for submitting a Request for Reconsideration of Materials or a Written Notice**

- i. The Request for Reconsideration of Materials Form will be available at each District branch location and on the District’s website.
- ii. A completed Request for Reconsideration of Materials or Written Notice can be submitted by the following means. Only one means of submission is required.

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<sup>5</sup> *Pope v. Illinois*, 481 U.S. 497, 497 (1987).

- a. Physical mail to:

Meridian Library District  
Attn: Library Director – Material Challenge  
P.O. Box 940  
Meridian, ID 83680

- b. E-mail to:

[requestforreconsideration@mld.org](mailto:requestforreconsideration@mld.org)

- c. To submit in-person, the completed Request for Reconsideration of Materials or Written Notice can be given to a District staff member at any service desk at all District branch locations.
- iii. It is the responsibility of the person submitting the Written Notice or Request for Reconsideration of Materials to comply with all requirements of the “Children’s School and Library Protection Act,” the Idaho Tort Claims Act, and any other applicable laws or court rules to maintain their ability to seek judicial review.

### **C. Procedure for Board review of a Request for Reconsideration of Materials or a Written Notice**

Book challenges are time-consuming endeavors. The material must be considered as a whole and individual passages cannot be taken out of context. Supporting materials should also inform the analysis. The District will also consider the literary merit of works recognized as classics, even though classic works may contain words or sentiments which, today, are unacceptable. In determining whether material possesses serious literary, artistic, political or scientific value, the proper inquiry is not whether an ordinary member of any given community would find serious value in the allegedly obscene material, but whether a reasonable person would find such value in the material, taken as a whole.

Board deliberation must be done openly on the record at noticed meetings, which are additional time pressures that must be accommodated within the 60-day window provided by the “Children’s School and Library Protection Act.” Given the limited District resources available, and the potentially unlimited challenges authorized by the “Children’s School and Library Protection Act,” it may not be feasible for the Board to review all material challenges within 60 days of receipt of the challenge.

The Board will aim to respond to every challenge, but a requester can appeal a Board decision regardless of how thoughtful or adequate the Board's response is, and whether there is any Board decision at all. Further, the "Children's School and Library Protection Act" does not direct judges to review or give the Board's decision any deference. Given the review framework of the "Children's School and Library Protection Act" and District resource constraints, the Board Chair, in consultation with the Board as practicable, shall prioritize responding to good faith requests that present potentially meritorious claims.

- i. All Library Board procedures to review a Request for Reconsideration of Materials or a Written Notice shall comply with all applicable provisions of the Idaho Public Records Act, Idaho Open Meetings Law, and all other applicable laws necessary to ensure a fair and open deliberative process and an impartial decision based on the evidence submitted.
- ii. If the Board does not issue a final written decision within sixty (60) days of receipt of a Request for Reconsideration of Materials or a Written Notice, the submission is denied.
- iii. The Board shall endeavor to issue a written decision within sixty (60) days of receipt of the submission explaining the Board's rationale for approving or denying the submission.
  - a. The Library Director shall endeavor to submit a written response to the submission and a recommended Board decision within twenty-eight (28) days of receipt.
  - b. The Board shall give the Library Director's written response and recommended decision substantial deference.
- iv. The Board can adopt the Library Director's written response and recommended decision as its own, with or without modification, or the Board can issue its own decision.
  - a. The Board shall always take the most narrowly-tailored action necessary.
  - b. If the Board decides to remove material from the collection, or move the material to an adult access only area, or restrict access in any way, there is no right of appeal to the courts under the "Children's School and Library Protection Act." Being that the decision to censor materials is unappealable and the decision not to censor materials is appealable, the Board will exercise due restraint when limiting or removing access to materials.
- v. The Library Board Chair has discretion to:

- a. Determine whether and when to call a special meeting for the Board to deliberate on and decide, or adopt findings on, a Request for Reconsideration of Materials or a Written Notice.
  - b. Determine whether additional procedures beyond the written filings specified herein are necessary to adequately review a Request for Reconsideration of Materials or a Written Notice, and if so, order such additional procedures (e.g., oral presentations by the complainant and the Library Director, or public testimony).
  - c. Determine the order of deliberation on any Request for Reconsideration of Materials or Written Notice and its placement on the Board agenda.
- vi. District administration shall maintain a case file for each Request for Reconsideration of Materials or Written Notice submitted. The case file will be publicly available via the library's website. The District will evaluate whether any redactions to personal information contained in a written filing are required by Idaho law prior to making the document publicly available. The case file shall include, as applicable:
- a. the Request for Reconsideration;
  - b. the Written Notice;
  - c. the Library Director's written response and proposed Board decision;
  - d. any public comments received on the submission within sixty (60) days of receipt of the submission;
  - e. any adopted minutes of a meeting that reflect Board deliberation on the challenge, and
  - f. any interim or final orders or decisions of the Board.
- vii. The Library Director and the Board reserve the right to compile multiple challenges of the same material and to issue the Board's determination collectively. Once the Board has issued a reconsideration decision as to a particular material, the Board may rely on and refer to such decision in subsequent challenges of the same material. Serial Requests for Reconsideration submitted for the same material by the same person will be considered invalid and will not be heard by the Board. Requests received from individuals or groups who do not use or have access to District materials will not be considered by the District.

[Request for Reconsideration of Materials Form follows.]

## REQUEST FOR RECONSIDERATION OF MATERIALS FORM

This form can be used by District patrons to request reconsideration of materials that the Meridian Library District makes available. Requests received from individuals or groups who do not use or have access to District materials will not be considered by the District. If your request is made pursuant to Idaho Code § 18-1517B, the “Children’s School and Library Protection Act,” and you are alleging that the material is Material Harmful to Minors, fill out and submit Section 1 and Section 2 of this Form. Doing so will constitute the Written Notice required by Idaho Code § 18-1517B(3). If you are not alleging the material is Material Harmful to Minors, you only need to fill out and submit Section 1.

A completed Request for Reconsideration of Materials or Written Notice can be submitted by the following means. Only one means of submission is required.

- a. Physical mail to:

Meridian Library District  
Attn: Library Director – Material Challenge  
P.O. Box 940  
Meridian, ID 83680

- b. E-mail to:

[requestforreconsideration@mld.org](mailto:requestforreconsideration@mld.org)

- c. To submit in-person, the completed Request for Reconsideration of Materials or Written Notice can be given to a District staff member at any service desk at all District branch locations.

Upon submission of this form, it will become a public record. The Meridian Library District will evaluate whether any redactions to personal information contained in the form are required by Idaho law prior to making the completed form publicly available.

## REQUEST FOR RECONSIDERATION OF MATERIALS

Please fill out the requested information to the best of your ability. The information you provide will be an important part of the Meridian Library District's review of the materials.

### **I. SECTION 1 – REQUEST FOR RECONSIDERATION OF MATERIALS.**

#### **A. Information about the Material.**

1. Type of material to be reconsidered:  
 Book             Magazine             DVD/Bluray  Newspaper  
 Board Game    Kit/Digital Device    Other \_\_\_\_\_
2. Title: \_\_\_\_\_
3. Author, composer, producer, artist, etc.: \_\_\_\_\_
4. Publisher & Copyright Date: \_\_\_\_\_
5. Item's Meridian Library District barcode number: \_\_\_\_\_

#### **B. Information about the requestor.**

1. Name: \_\_\_\_\_
2. Street Address: \_\_\_\_\_
3. E-mail Address: \_\_\_\_\_
4. Telephone Number: \_\_\_\_\_
5. Preferred means of contact: \_\_\_\_\_
6. Are you a minor? Y / N
7. Are you filing this request on behalf of a dependent minor? Y / N    Age of minor:  
\_\_\_\_\_
8. Do you represent an organization/group? Y / N
  - i. If so, which organization/group? \_\_\_\_\_
9. Are you a Meridian Library District cardholder? Y / N
  - i. Library Card Barcode Number: \_\_\_\_\_
10. Did you obtain the Material from the Meridian Library District? Y / N
  - i. If yes, how did you obtain the Material (shelf, hold, online, etc.): \_\_\_\_\_

11. Did you check out, request, or use the Material that is the subject of this request? Y / N

i. From which library branch? \_\_\_\_\_

C. Information about the request.

1. To what in the Material do you object? Why do you object? (Please be specific; for example, cite pages and specific passages.)

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2. Did you read, view or listen to the entire Material? Y / N

i. If not, what parts did you read, view or listen to? \_\_\_\_\_

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3. What do you feel would be the result of reading, viewing, or listening to this Material?

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4. What parts of the Material do you think are accurate and valuable?

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5. What do you believe the theme of this Material to be? \_\_\_\_\_

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6. Have you read any professional review(s) of the material (e.g., Library Journal, School Library Journal, Kirkus Book Reviews, etc.)? Y / N

i. If yes, please specify: \_\_\_\_\_

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7. For what age group would you recommend this Material? \_\_\_\_\_

8. All of the titles in the Meridian Library District collection have been selected based on criteria within the Meridian Library District Collection Development Policy. Have you read the Collection Development Policy in its entirety? Y / N

i. If so, please explain how this Material falls outside of the selection criteria:

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9. What action are you requesting the District take in regard to this Material?

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10. Can you recommend other material that would convey as valuable a picture and/or perspective of the subject treated in this item? Y / N

i. If yes, please specify: \_\_\_\_\_

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11. Is there additional information that the Library Board should be aware of while reviewing your request?

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**\*By signing this Section 1 of the Form I understand that I am making a formal request to the Meridian Library District about a material they have made available. I acknowledge that this**

document will become a public record as soon as it is received by District staff and will be posted to the District’s website.

\_\_\_\_\_  
Signature of Requester

\_\_\_\_\_  
Date

(For Library District Use Only)

Date Received by Staff: \_\_\_\_\_

Staff Member Initials: \_\_\_\_\_

**II. SECTION 2 – REQUEST FOR REVIEW OF MATERIAL HARMFUL TO MINORS.**

**FILLING OUT AND SUBMITTING THIS SECTION OF THE FORM CONSTITUTES WRITTEN NOTICE PURSUANT TO THE “CHILDREN’S SCHOOL AND LIBRARY PROTECTION ACT.”**

[ ] Initial this box and fill out this Section 2 if you intend for this form to constitute Written Notice pursuant to Idaho Code § 18-1517B(3). By initialing this box, you affirm your belief that the material you are challenging is Material Harmful to minors as defined by Idaho Code and Meridian Library District policy, and you request the material be relocated to a section with adult access only within sixty (60) days of the Meridian Library District’s receipt of this notice.

Idaho Code § 18-1514(6) defines harmful to minors as follows:

“Harmful to minors” includes in its meaning the quality of any material or of any performance or of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

(a) Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and

(b) Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:

(i) Intimate sexual acts, normal or perverted, actual or simulated; or

(ii) Masturbation, excretory functions or lewd exhibition of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political or scientific value for minors[.]

The following subdefinitions found in Idaho Code § 18-1514 apply to the above definition of “Harmful to minors”:

“Minor” means any person less than eighteen (18) years of age.

“Nudity” means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

“Sexual conduct” means any act of masturbation, homosexuality, sexual intercourse, or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, the breast.

“Sexual excitement” means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

“Sado-masochistic abuse” means flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one who is nude or so clothed.

“Material” means anything tangible which is harmful to minors, whether derived through the medium of reading, observation or sound.

“Performance” means any play, motion picture, dance or other exhibition performed before an audience.

“Promote” means to manufacture, issue, sell, give, provide, deliver, publish, distribute, circulate, disseminate, present, exhibit or advertise, or offer or agree to do the same.

“Knowingly” means having general knowledge of, or reason to know, or a belief or reasonable ground for belief that warrants further inspection or inquiry.

“School” means any public or private school providing instruction for students in kindergarten through grade 12.

A. Requester Information.

1. Name: \_\_\_\_\_

2. Address: \_\_\_\_\_

3. I am (check one):
- the Minor who obtained the Material
  - a parent of the Minor who obtained the Material
  - a legal guardian of the Minor who obtained the Material

B. Complaint Information.

1. **In addition to answering the questions below, please fill out Section 1 of this form.** The information you provide in response to Section 1 will be an important part of the Meridian Library District's review of the challenged Material.

[CONTINUED ON NEXT PAGE]

2. How did you or your dependent Minor obtain the Material (shelf, hold, online, etc.)? Please include a description of the format of the Material and the Meridian Library District location where the Material was obtained.

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3. In what ways do you believe the challenged Material meets the definition of Material Harmful to Minors? Please state the basis of the claims and provide all explanation that may be helpful.

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- i. How does the Material appeal to the prurient interests of Minors, as judged by the average person applying contemporary community standards?

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ii. In what ways is the Material patently offensive to prevailing standards in the adult community with regard to what is suitable for Minors?

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iii. Does the Material, when considered as a whole and in the context in which it is used possess serious literary, artistic, political or scientific value for Minors? Why or why not?

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**\*By signing this Section 2 of the Form I understand that I am making a formal request to the Meridian Library District about a material they have made available. I acknowledge that this document will become a public record as soon as it is received by District staff and will be posted to the District's website.**

\_\_\_\_\_  
Signature of Requester

\_\_\_\_\_  
Date

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(For Library District Use Only)

Date Received by Staff: \_\_\_\_\_

Staff Member Initials: \_\_\_\_\_