



## State Library Board

### Meeting Minutes

**Date:** November 21, 2024  
**Time:** 10:30 a.m.  
**Location:** 1500 Senate St.

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#### Board Member Attendance:

Ms. Alanna Wildman	Absent
Ms. Deborah Hyler, Member	Present
Ms. Anna Claire Dando, Member	Present
Ms. Loretta Green, Member	Present
Ms. Jennifer Cunningham, Member	Present
Ms. Andrea Kelly, Member	Absent
Mr. Mark Herring, Member	Absent

**Other Attendees:** Ms. Leesa Aiken, SCSL, Ms. Breanne Smith, SCSL, Faith Line, APLA, Mr. Chris Yates, SCSL

#### A. Board Business and Approval of Minutes

1. Motion: Anna Claire Dando made a motion to call the meeting to order. Debbie Hyler seconded the motion.
2. Anna Claire Dando made a motion to approve the minutes from the July 25, 2024 board meeting. Loretta Green seconded the motion; all present approved the minutes.
3. Board Training: Breanne Smith will send out a doodle poll for possible dates starting in January. The training will take approximately 4 hours.

#### B. Director Report

##### 1. Agency Administration

- A. Aiken discussed the Attorney General's response to the State Library's request for an opinion regarding Proviso 27.1 The Attorney General's office will not issue an opinion. Aiken read an email from Matthew Gates at the Attorney General's Office. The email states in part: "Our longstanding policy is not to opine with respect to factual matters which an opinion cannot determine. As to what library materials appeal to the prurient interests of minors, such involves questions of fact. Thus, we must leave those decisions to county public librarians and their boards of trustees. This response has been approved

by Solicitor General Robert D. Cook.” Aiken has given guidance to public libraries related to the Attorney General’s response.

- B.** Aiken discussed her guidance to public libraries regarding the Attorney General’s response. Aiken sent a memorandum to public library directors advising them that their library boards are responsible for policies related to collection management. The library director is responsible for the daily operations of the library to include collection development. The State Library has verified that each public library has a board approved collection development policy, reconsideration policy and request for reconsideration form. The Attorney General has made it clear that collection development is a local issue. Aiken has asked public libraries to make their boards aware of the guidance she provided to them.
- C.** Aiken discussed the State Library’s Collection Development for Minors Guidance document. After receiving the Attorney General’s opinion and discussing the decision with APLA, Aiken created guidance on collection development for minors. The guidance suggests breaking down the children’s section into the following: Newborn- 4 years old: Board books/Soft books, Ages 4-9 years old: Picture books/Early Readers, Ages 8-12 years old: First Chapter Books/Middle Grade books. There should be a separate teen section that is appropriate for children 13-17 years of age. Materials with a recommended upper age of 18 should be located in the Adult section of the library. In libraries the term “young adult” has been used interchangeably with teen, although legally an adult is 18 years of age. A commonly accepted age range for young adult is 18-25 years of age. Publishers have used the term young adult in a loose way, ranging in age from 13-19 years of age. If a publisher provides an age range on a book, Aiken recommends using the highest age to determine where the library material should go in the collection. It is important for libraries to concretely define young adult and teens. Parents may give their children permission to check out items from the adult section of the library via consent on the library card applications. Libraries may establish a “young adult” section in the adult section of the library. Aiken expressed that she worked to provide the best guidance possible to assist libraries with collection development for minors considering Proviso 27.1, and the legal definitions found in the South Carolina Code with respect to adult and minor.
- D.** Aiken discussed an email message received from SCSL board member, Mark Herring. Herring’s message requested that the record reflect that:

“Director Aiken’s interpretation of Proviso 27.1 regarding taking the book as a whole is not in keeping with SC Law Neither the Proviso nor Reg 43-170 embrace the Miller Test which her interpretation alludes to without specifying. For example, in movies, one sex scene gets you an R rating. An explicit one, an X. Likewise, one violation of the Proviso should require that book be removed regardless of other redeeming features.”

Aiken informed the Board that she did not use the Miller Test, which the “U.S. Supreme Court established the test that judges and juries use to determine whether matter is obscene.” Aiken noted using only the South Carolina Code of Laws and Regulations as guidance related to Proviso 27.1, however she did not have the exact code with her at the

meeting and noted she would follow up with a memo to the Board with the specific information. Aiken noted that Regulation 43-170 is a State Board of Education Regulation that relates to schools and not public libraries. Aiken stated that the Attorney General's opinion states that removing books in public libraries is the decision of the local library board. The language in Proviso 27.1 does not mention that a title be removed for one violation. Yates stated that there is a uniform process for rating films, there is not a process for books. Aiken asked that the record reflect that Mark Herring's email was read aloud and a discussion took place regarding the email. Aiken stated that this is not the role of the State Library. The State Library is not responsible for policing public library collections. The State Library is responsible for providing guidance to public libraries, which they have done via the Guidance on Collection Development for Minors document.

- E.** Aiken discussed correspondence that she received from Senator Rex Rice in Pickens regarding Proviso 27.1. Senator Rice's letter states that he receives regular feedback from the community concerning the proviso. Senator Rice was aware that Aiken created a memo to public libraries related to Proviso 27.1 and created a form for public libraries to certify that they are complying with the proviso. Senator Rice did not feel that the form was sufficient and wanted the specific proviso language included. Aiken provided Rice with copies of communication to public library directors and dates when the specific proviso language was included to ensure that public library directors were aware of the specific language related to the changes to Proviso 27.1. The Certification form has been updated again to include the specific language of Proviso 27.1. Aiken shared this with Senator Rice as well.
- F.** Aiken discussed public library board training. The State Library provides public library board training. Aiken recently visited Anderson County to provide board training. She will attend a board meeting tonight in Pickens County. These two counties are contentious areas of the state right now. Aiken mentioned that a Deputy must attend the Pickens County board meetings. Aiken would like to raise awareness of the State Library Board about what is going on with library boards across the state. Faith Line mentioned that library board members in some areas want to resign because of safety concerns. Aiken expressed that the role of the State Library is to reduce conflict, not escalate it. Aiken mentioned that the public library will always have materials that a member of the community might not like or agree with which is why policies and procedures for public libraries are very important. The functions and job duties of the State Library Board are not to increase conflict. Aiken mentioned that Anderson County has appointed a committee to oversee collection development because the Board Chair does not feel that they are in compliance with Proviso 27.1. The York County Board recently met and directed the library not to purchase materials for children until the Attorney General issued an opinion. Later, the Board changed their message and agreed to continue purchasing children's materials. The library board is not responsible for collection development, they are responsible for approving the collection development policy. The board only approves the policy, not the materials purchased. Libraries should be a non-political space.

## **2. Partnerships**

1. Members of TBS staff have been sharing resources and showcasing petting zoo equipment with the USC Library School in the USC MLIS 701 Ethics, Values, and Foundational Principles of Library and Information Science Professions class. TBS will continue outreach efforts to colleges and schools, specifically for upcoming teachers and library professionals.

## **3. Projects/Programs**

1. Aiken discussed the expansion of the institutional library project. The State Library will be working with the DDSN Whitten Center in Laurens County to create a new library for residents.
2. The Statewide Services department is working on a new project called Books in Barbershops which works to create libraries in barbershops with a secondary project focused on Books in Laundromats.
3. This month the State Library is highlighting Native American Heritage Month. Our website features cultural resources available to patrons.
4. The State Library hosted two Center for the Book events recently. The first was a talk featuring Chief Louie C. Chavis of the Beaver Creek Indian Tribe. The event was well attended. The second event featured a mother and son duo, Douglas Cutting and Nan Young Carey and their book *Undertones: Gifts of a Southern Tide*.
5. The State Library has created an infographic to showcase the partnership with Department of Parks, Recreation, and Tourism. This program provides park passes to public libraries which patrons can check out. The park passes circulated 10,692 times in 2023.

## **4. Personnel**

1. The State Library has the following open positions: Administrative Assistant, Public Information Coordinator. Two new employees have been hired: Rhianna Bogart-Reader Advisor Assistant and Bekah Darrah- State Documents Librarian.
2. Aiken mentioned that the Sunshine Committee recently hosted a fall door decorating contest that staff really enjoyed. The committee will host a winter potluck in December.

## **5. Upcoming Events**

1. Grant Writing: Creating a Winning Proposal 12/11/2024 at 10:30 AM (webinar)
2. Authors of SC featuring: Arcane Carolinas Michael G. Williams 12/11/2024 at 6:00 PM
3. Speaker at the Center: Family Recipes 12/17/2024 at 3:00 PM

## **6. Public Libraries**

There are director vacancies in the following counties: Chesterfield, Greenwood, AHJ, and Richland.

**C. APLA Report**

Faith Line mentioned that libraries have been dealing with the fallout from Proviso 27.1

**D. Finance**

Aiken discussed the financial report. The budget is on target for this time of year, with nothing of merit to highlight.

**E. Adjourn**

- a. Anna Claire Dando made a motion to adjourn the meeting; Loretta Green seconded the motion and all approved. The next meeting is scheduled for January 23, 2025.