

## REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS FORM

This form can be used to request reconsideration of materials the Caldwell Public Library makes available. 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 this completed form. Doing so will constitute the Written Notice required by Idaho Code § 18-1517B(3).

To request that the Caldwell Public Library reconsider the inclusion or exclusion of materials in its collection, a City of Caldwell resident (or non-resident who owns property within the City of Caldwell), may fill out this form and return it to the circulation desk at the Caldwell Public Library.

This completed form can also be submitted by physical mail to:

Caldwell Public Library  
ATTN: Library Director – Material Challenge  
1010 Dearborn St  
Caldwell, ID 8360

Or by email via: [materialchallenge@cityofcaldwell.org](mailto:materialchallenge@cityofcaldwell.org)

Only one means of submission is required and only one active request per person will be considered. Because book challenges are time consuming undertakings and fact intensive, any material that has already been reviewed through the Request for Reconsideration process may only be reviewed once in a three-year period.

Upon submission of this form, it will become a public record. The Caldwell Public Library will evaluate if 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 FORM**

Please fill out the requested information to the best of your ability. The information you provide will be an important part of the Caldwell Public Library's review of the materials. If you need additional space to answer the questions, you may attach additional pages.

**I. Section 1 – Request for Reconsideration****A. Information About the Requester.**

- i. Name: \_\_\_\_\_
  - ii. Address: \_\_\_\_\_
  - iii. Email Address: \_\_\_\_\_
  - iv. Telephone Number: \_\_\_\_\_
  - v. Library Card Barcode Number: \_\_\_\_\_
  - vi. Are you a minor? Y / N
  - vii. Are you filing this request on behalf of a dependent minor? Y / N
  - viii. Do you represent an organization? Y/N
    - a. If so, which organization? \_\_\_\_\_
  - ix. Are you a Caldwell Public Library cardholder? Y/N
  - x. Did you obtain the material from the Caldwell Public Library? Y / N
  - xi. Did you check out, request, or use the material that is the subject of this request? Y/N
  - xii. What brought this material to your attention? \_\_\_\_\_
- 

**B. Information about the Material**

- i. Title: \_\_\_\_\_
- ii. Author/Performer: \_\_\_\_\_
- iii. Publisher/Copyright Date: \_\_\_\_\_
- iv. Item Barcode: \_\_\_\_\_

**C. Information about the Request**

- i. To what in the material do you object? \_\_\_\_\_
-

ii. Why do you object? (Please be specific; for example, cite pages and specific passages.)

\_\_\_\_\_

\_\_\_\_\_

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

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

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

\_\_\_\_\_

v. What parts of the material do you think are accurate and valuable? \_\_\_\_\_

vi. What do you believe the theme of this material to be? \_\_\_\_\_

vii. For what age group would you recommend this material? \_\_\_\_\_

viii. Are there other resources you'd like to suggest that could provide additional information and/or other viewpoints on this topic? \_\_\_\_\_

ix. What action are you requesting the library take in regard to this material? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature

Date

By signing this section of the form, I understand that I am making a formal request to the Caldwell Public Library about a material they have made available. I acknowledge that this document will become a public record as soon as it is received by library staff and will be posted to the library's website.

## II. Section 2 – Complaints Alleging 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 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 Materials are Materials Harmful to Minors as defined by Idaho Code and Caldwell Public Library policy, and you request the Materials be relocated to a section designated for adults only within thirty (30) days of the Caldwell Public Library’s receipt of this notice.

Idaho Code defines material harmful to minors as:

“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[.]”

Idaho Code § 18-1514(6).

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. Complaint Information

i. How did you, or your dependent Minor, obtain the Material? Please include the format of the Material and the Caldwell Public Library location the Material was obtained.

- ii. 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.
- a. How does the Material appeal to the prurient interests of minors, as judged by the average person applying contemporary community standards?
- b. In what ways is the Material patently offensive to prevailing standards in the adult community with regard to what is suitable for Minors?
- c. 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?

Signature

Date

By signing this section of the form I understand that I am making a formal complaint to the Caldwell Public Library about a Material they have made available. I acknowledge that this document will become a public record as soon as it is received by library staff and will be posted to the library’s website.