



RESOLUTION IN SUPPORT OF THE PROTECTION OF CITIZENS' FIRST AMENDMENT AND PARENTAL RIGHTS IN BOTETOURT COUNTY LIBRARIES

During its regular meeting on July 31, 2023, the Botetourt County Board of Supervisors took the following action:

<u>NAME</u>	<u>VOTE</u>
Donald M. Scothorn, Chair	YES
Amy S. White, Vice Chair	YES
Richard A. Bailey	YES
Stephen P. Clinton	YES
Billy W. Martin, Sr.	YES

WHEREAS, a public library provides a broad variety of materials, subjects, and viewpoints that enable citizens of all demographics to better understand and navigate a complex world; and

WHEREAS, the freedom to read and access information is protected by the First Amendment to the Constitution of the United States of America; and

WHEREAS, the public library is a uniquely American institution established to support and protect the free flow of information and ideas vital to a strong, functioning democratic republic; and

WHEREAS, the Botetourt County Library operates under collection development policies that include procedures and guidelines for the selection and deselection of material, considering the diverse needs and expectations of citizens in the Botetourt County community; and

WHEREAS, these established policies and procedures provide clear means for individuals to request reconsideration of library materials, with processes to ensure that the best interests of the entire community are considered when evaluating library content; and

WHEREAS, the Botetourt County library staff includes people with advanced degrees, all of whom receive extensive professional training, making them uniquely qualified to develop collections based not on librarians' personal preferences or beliefs, but rather designed to meet the broad and varied interests and needs of their communities; and

WHEREAS, Library staff take active measures to ensure that no obscene materials, as defined by Section 18.2-372 of the *Code of Virginia*, 1950, as amended, and the case *Miller v. California*, 413 U.S. 15 (1973), are introduced into the Botetourt County Library collection; and

WHEREAS, the library purchases only from reputable vendors that are legally restricted from selling and distributing materials determined by state and federal law to be obscene; and

WHEREAS, the Botetourt County Library does not impose value judgments about materials, and therefore does not segregate, rate, label, or otherwise indicate approval or disapproval of contents, or inhibit access to materials; and

WHEREAS, materials requested from other library systems through the Roanoke Valley Libraries consortium or interlibrary loan are delivered privately to individual requestors; and

WHEREAS, the Botetourt County Library's youth collections contain content that has been identified by publishers and reviewers as intended and appropriate for those audiences, and that the Library provides these materials for a broad variety of families with differing needs and values; and

WHEREAS, all Botetourt County Library materials may be found in the Library's online catalog, ensuring full collection transparency and the ability to preview titles for suitability; and

WHEREAS, Botetourt County Library staff and librarians are available to assist all patrons in locating materials that suit their personal preferences and values, without bias; and

WHEREAS, the Botetourt County Library requires that all children under age 13 must be accompanied by a responsible adult aged 18 or older while in a library facility; and

WHEREAS, said adult is responsible for all the child's activities in and access to library spaces, resources, services, and events; and

WHEREAS, no child under the age of 18 may obtain a library card without parental or legal guardian approval and parents or legal guardians have full access to and control of their child's library account until they turn 18; and

WHEREAS, parents and legal guardians are guaranteed the right by the First Amendment to determine what their own children may read or access, but do not have the right to determine what all children may read or access, or dictate what other parents may allow their children to read or access.

NOW THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors:

- Actively supports and defends citizens' First Amendment rights, including the right to read and access information freely and to form their own opinions;
- Defends parental rights to choose content that is suitable for their own families and children, but not to determine what is appropriate for other families and their children;
- Affirms the Botetourt County Library's existing practices to protect minors by providing for collection transparency and parental/guardian access and control in minors' use of library materials, services, resources, and events;
- Supports the Botetourt County Library's existing policies and procedures guiding the selection and deselection of materials reflecting the needs and interests of the community, without discrimination against or preference to specific individuals, groups, or viewpoints; and
- Affirms the Botetourt County Library's vital role in protecting citizens' constitutional and parental rights and enabling all citizens to understand and navigate a complex world.

Unanimously adopted this 31st day of July 2023.



Dr. Donald M. Scothorn, Chair
Board of Supervisors, Botetourt County



Mr. Gary Larowe, Clerk of Board
Botetourt County