

**Item:** New WLS Collection Development Policy & Revisions to Workplace Violence, Board Meetings, and Sexual Harassment Prevention Policies

**Background:** The WLS Governance Committee does an annual review of WLS policies. Several recent changes in New York State law and New York State Labor Law indicated a review for compliance to these changes.

**Status:** The Governance Committee met on August 30<sup>th</sup> to discuss potential revisions related to the changes in law for the following WLS Policies: Sexual Harassment (Policy #17) and Workplace Violence (Policy #3). The draft revisions to each are attached, and the committee unanimously voted to bring these changes to the Board of Trustees for approval.

Given recent amendments to the New York State Open Meeting Law, the committee discussed the Board Meeting Participation via Video Conference (Policy #16). Based upon the advice of staff and recent full board discussions, the committee decided that permitting remote trustee participation in board meetings would be cumbersome and expensive. Possible changes to the current policy were discussed, and a copy of the draft revised policy is attached.

In addition, the committee discussed a proposed new Collection Development policy. The draft version of this new policy is attached.

Per regular procedure, these revisions are being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board meeting, which will be held in October 2022.

Any questions can be directed to Cathy Draper, Chair of the Governance Committee.

September 27, 2022

**DRAFT August 2022**  
**Marked to show changes from existing policy**

**WESTCHESTER LIBRARY SYSTEM**

**POLICY #17**

**Subject:** Sexual Harassment<sup>1</sup>

**Application:** Employees, trustees, [applicants for employment, interns \(whether paid or unpaid\)](#), customers, consultants, contractors, [subcontractors](#), vendors, [persons conducting business](#) and visitors, [regardless of immigration status](#)

**Introduction**

Westchester Library System (WLS) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of WLS's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with WLS. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

**Policy:**

1. WLS's policy applies to all employees, trustees, applicants for employment, interns, [\(whether paid or unpaid\)](#), contractors, subcontractors, consultants, vendors, persons conducting business, and visitors, regardless of immigration status, ~~with WLS~~. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No employee shall be subject to adverse action because such employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. WLS will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee who retaliates against anyone involved in a sexual harassment investigation will be subject to disciplinary action, up to and including termination. All employees working in the workplace who believe they have been subject

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<sup>1</sup> Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

to such retaliation should inform their immediate supervisor or the Executive Director. All employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of WLS policies, is unlawful, and may subject WLS to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. WLS will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. WLS will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. WLS will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Executive Director.
8. This policy applies to all employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable and be provided to employees upon hiring.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report [their concern](#) so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity or the status of being transgender, such as:

- Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
- Sabotaging an individual’s work;
- Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A harasser can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

### **Retaliation**

Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a sexual harassment claim. Adverse action [includes the disclosure of an employee’s personnel file, except where such disclosure is made in connection with a judicial or administrative proceeding as permitted by applicable law.](#) Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone’s responsibility.** WLS cannot prevent or remedy sexual harassment unless it knows about it. Any employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Executive Director. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Executive Director.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf.

Employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Executive Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

**All** complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. WLS will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of a complaint, the Executive Director will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If the complaint is verbal, the Executive Director will encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, the Executive Director will prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

[In the event an individual making a complaint is not satisfied with the result of the process described above, such individual may bring the complaint to the President of the Board of Trustees, who will bring the issue before the entire Board, in executive session, for resolution.](#)

### **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by WLS but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at WLS, employees may also choose to pursue legal remedies with the governmental entities listed below. While a private attorney is not required to file a complaint with a governmental agency, an employee may seek the legal advice of an attorney.

#### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the HRL may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court. [Any individual experiencing sexual harassment in the workplace may use the free and confidential DHR hotline, 1-800-HARASS-3, to connect with pro bono attorneys on sexual harassment issues or to submit a complaint.](#)

Complaints with DHR may be filed any time **within ~~one year~~ three years** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to WLS does not extend an individual's time to file with DHR or in court. The ~~one year or~~ three years is counted from the date of the most recent incident of harassment.

An attorney is not required to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate a complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Individuals wishing to make a complaint may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

An employee may contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

## **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

## **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. [WLS employees may file complaints of sexual harassment with the Westchester County Human Rights Commission at https://humanrights.westchestergov.com/file-a-complaint](https://humanrights.westchestergov.com/file-a-complaint) or [may contact the commission at 914-995-7710 or humanrights@westchestergov.com](mailto:humanrights@westchestergov.com). ~~For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit <http://www.nyc.gov/html/cehr/html/home/home.shtml>.~~

## **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. An individual who has been the target of such activity should contact the local police department.

*Approved: November 27, 2018*

*Amended: \_\_\_\_\_, 2022*

**DRAFT August 2022**  
**Marked to show changes from existing policy**

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**WESTCHESTER LIBRARY SYSTEM**

**POLICY #3**

**Subject:** Workplace Violence

**Application:** Employees, trustees, applicants for employment, interns (whether paid or unpaid) customers, consultants, contractors, subcontractors, vendors, persons conducting business and visitors

Westchester Library System (WLS) is committed to providing a work environment that is free from violence or threats of violence. WLS also is intent on preventing any threatened or actual destruction of company and personal property. Compliance with this policy requires that all individuals on WLS premises, conducting business with or on behalf of WLS, act in a professional, non-violent and non-threatening manner.

Workplace violence is defined as any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee, any intentional display of force that would give an employee reason to fear or expect bodily harm, intentional and wrongful physical contact with a person without his or her consent that entails some injury, or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment. ~~includes behavior that constitutes assault, battery, or~~ It also includes the intentional destruction or attempted destruction of company or personal property while on WLS premises or while engaged in WLS business. This definition expressly includes domestic violence when such behavior extends to the workplace. WLS also prohibits employees and others covered by this policy from possessing firearms or other dangerous weapons on the premises whether or not the person is licensed or permitted to carry a weapon.

Prohibited threats are those that a reasonable person would perceive as real threats of violence against a person or WLS property and that has-have the effect of unreasonably interfering with the work of WLS or any of its employees.

All employees and others covered under this policy are responsible for establishing and maintaining a work environment which promotes professionalism and is free of threats and violence. This responsibility includes being alert to situations in which workplace violence is occurring or may potentially occur. Threats, acts of violence or behaviors that raises a safety or security threat should be reported to a supervisor or to the Executive Director at 914-231-3223 or executivedirector@wlsmail.org.

WLS will initiate appropriate action based on the circumstances, including notifying law enforcement. WLS will take all reasonable steps to investigate and address the safety concerns of those who have reported or believe they may have been subject to workplace violence, or are otherwise concerned about their safety or security.

Any employee determined to have violated this policy will be subject to disciplinary action, up to and including termination of employment, at the discretion of the WLS Executive

Director.

In compliance with New York State Labor Law, WLS will develop a workplace violence prevention program that includes a workplace evaluation designed to identify the risks of workplace violence to which WLS employees could be exposed. In addition, all WLS employees will participate in an annual workplace violence prevention training program provided by WLS.

Individuals who have questions or concerns about the policy should speak with their supervisor for further clarification.

*Last approved: ~~May 26, 2015~~ \_\_\_\_\_, 2022*

D R A F T August -2022

Marked to show changes from May 2022 draft

WESTCHESTER LIBRARY SYSTEM

POLICY #16

**Subject:** Board Meetings Participation

**Application:** WLS Trustees, employees and members of the public

The participation of trustees, employees and members of the public in the Board meetings of the Westchester Library System (WLS) is necessary for the effective operation of WLS on behalf of the residents of Westchester County and its libraries. This policy sets forth procedures for participation by trustees and members of the public that both serve the needs of WLS and are in compliance with the New York State Open Meetings Law (OML).

All meetings of the Board of Trustees shall be open to the general public, except that an executive session may be called as provided by the OML. Meetings will be held in a facility that permits barrier-free physical access and can adequately accommodate members of the public who wish to attend.

The Board of Trustees allows public meetings to be photographed, broadcast, webcast or otherwise recorded by means of audio or video, in a non-disruptive manner.

### **Participation by Trustees**

~~Subject to the rules specified below, trustees may participate in Board meetings using videoconferencing, provided that (a) a trustee may participate remotely only when she/he is not physically present in Westchester County or is unable to be physically present at the meeting location due to extraordinary circumstances including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event that precludes such trustee's physical attendance at such meeting; (b) a quorum is present in the physical location where the public can attend; (c) minutes of the meeting indicate which members participated remotely; (d) the public notice of the meeting indicates that videoconferencing will be used, where the public can view and/or participate in the meeting, and the physical location of the meeting; (e) any meeting using videoconferencing is recorded and made available on the WLS website as required by the OML; and (f) members of the public have the opportunity to participate via videoconference in real time where public comment is authorized.~~

~~Any trustee wishing to participate in a Board meeting remotely must follow these rules:~~

- ~~1. In order to comply with public notice requirements, a trustee wishing to participate in a meeting remotely must notify the Board President and the Executive Director of his/her/their intent to participate remotely at least eight (8) days before the relevant Board meeting, unless such advanced notice is impracticable.~~
- ~~2. The trustee must use an Internet connection that supports video and audio functionality.~~

~~3. The trustee must ensure that participation in properly convened executive sessions will be secure from outside observation.~~

~~All trustees attending meetings by video conferencing shall be entitled to vote as if they were personally and physically present at the meeting site.~~

~~In addition, sufficient security and identification procedures shall be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all trustees attending for discussion or voting purposes are in fact authorized members with the right to speak and vote.~~

### **Participation by Members of the Public**

The Board of Trustees encourages public expression at public meetings and has designated a specific portion of its meeting agenda for public comment. Members of the public, upon identifying themselves, are permitted to address the Board ~~for a period of not more than three minutes~~. Statements by the public should be kept as brief as possible (not more than three minutes or such other time period as may be designated by the Board in their sole discretion) and must relate to library matters. Statements relating to the competence or personal conduct of individual trustees or employees are not appropriate and will not be permitted at a public meeting. All comments must be made in a civil and respectful manner. Topics raised by the public will generally not be ~~discussed by the trustees~~ addressed by the Trustees during the meeting but may, if appropriate, be placed on a future board agenda.

*Last Approved:* \_\_\_\_\_, 2022

# **Westchester Library System – Collection Development Policy – Draft 1**

## **8/12/2022**

### **Objective**

Westchester Library System (WLS) strives to provide collections and resources that meet the cultural, informational, educational, and recreational needs of all individuals in the System's service area in conjunction with the strategic initiatives of WLS and member libraries.

### **Principles of Free Access**

The WLS Board of Trustees affirms the principles presented in the American Library Association's (ALA) [Library Bill of Rights](#)<sup>1</sup>, [Interpretations of the Library Bill of Rights](#)<sup>2</sup>, [Freedom to Read Statement](#)<sup>3</sup>, and [Freedom to View Statement](#)<sup>4</sup> in support of acquiring and managing collections in support of its mission.

### **Statement on Minor Access**

WLS acknowledges that the responsibility for monitoring a minor's access to library materials and resources rests with the minor's parent or legal guardian.

### **Collection Development Responsibility**

Authority for the shared collections is a joint responsibility of WLS and the member libraries. For materials and resources owned, leased, or subscribed to by WLS, the responsibility is delegated to the WLS Executive Director by the WLS Board of Trustees. The WLS Executive Director may delegate related responsibilities to qualified WLS staff. For each member library's materials and resources, this responsibility is delegated by the library's Board of Trustees to the Library Director, who has the authority to delegate responsibilities to qualified library staff.

### **Selection of Materials and Resources**

For WLS, recommendations by member libraries, standard professional and journals, authoritative online tools, and popular and local media sources are among the most frequently used tools in the selection process. The acquisition of a material or resource by WLS does not constitute endorsement of the contents of the material or resource.

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<sup>1</sup> Library Bill of Rights <https://www.ala.org/advocacy/intfreedom/librarybill>

<sup>2</sup> Interpretations of the Library Bill of Rights <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations>

<sup>3</sup> Freedom to Read Statement <https://www.ala.org/advocacy/intfreedom/freedomreadstatement>

<sup>4</sup> Freedom to View Statement <https://www.ala.org/advocacy/intfreedom/freedomviewstatement>

While a single standard cannot be applied, materials and resources that are considered for acquisition are judged by these and other related criteria:

- Relevance to community needs and interests;
- Balance and diversity in the current collection;
- Suitability to the intended audience of subject, style, format, interest and reading level;
- Reputation of the author, composer, publisher, or producer; and
- Quality of the writing, design, illustration, or production.

Licensing and leasing requirements may result in the automatic addition of materials in the digital collections by a vendor or publisher.

### **Withdrawal of WLS Materials and Resources**

Materials and resources are routinely withdrawn to maintain the usefulness, currency, relevance, and condition of the WLS collections. Licensing and leasing requirements may result in the automatic withdrawal of materials in the digital collections by a vendor or publisher. Physical materials withdrawn from a collection may be disposed of in a variety of ways including but not limited to public book sales, donations to other organizations, responsible and sustainable recycling, and disposal.

### **Gifts and Donations to WLS**

WLS accepts gifts of books and other materials with the understanding that they may be added to the collection, made available to the member libraries, or used to support WLS outreach activities if deemed appropriate. If the material cannot be used by WLS or the member libraries, the material may be disposed of in a variety of ways including but not limited to public book sales, donations to other organizations, responsible and sustainable recycling, and disposal.

### **Reconsideration of WLS Materials and Resources**

Materials made available by WLS present a diversity of viewpoints, enabling residents to make informed choices. WLS strives to provide a wide range of library materials and resources to satisfy the diverse interests of all individuals living, working, going to school or who own property in Westchester County. WLS upholds the right of a library card holder to obtain these materials and resources, even though the content may be viewed as controversial, unorthodox, or unacceptable by others. While the materials and resources are available to all valid library card holders, it is not expected that all the collection will appeal to everyone.

Library card holders requesting the reconsideration of a material or resource that WLS owns, leases, or subscribes to must have a valid and current library card from WLS or a member library and are required to complete a *WLS Request for Reconsideration of Material or Resource* form and submit it to the WLS Executive Director. The request and material/resource in question will be reviewed by a committee of three, which will be composed of the WLS Executive Director, one librarian from the WLS staff, and a

representative from the WLS Board Audit Committee. The request will be reviewed by the committee considering this policy's guidelines, the ALA's documents referenced in the Principles of Free Access section of this policy, the opinions of professional reviewing sources, and other relevant information. The WLS Executive Director will notify the requester in writing of the results of the review within two weeks of receiving the completed reconsideration form.

The committee's decision may be appealed to the WLS Board of Trustees. The WLS Board will be the final level of appeal for any reconsideration request. The final determination will be developed and kept on file for a minimum of two years. An individual title or resource will not be reviewed more than once in this two-year period.

## WLS Request for Reconsideration of Material or Resource

To request the reconsideration of a material or resource that WLS owns, leases, or subscribes to and you have a valid and current library card from WLS or a member library, provide the requested information to the WLS Executive Director through the online form portal, or as an email attachment to [executivedirector@wlsmail.org](mailto:executivedirector@wlsmail.org) or U.S. Mail to the address below:

Westchester Library System  
Executive Director  
570 Taxter Rd, Ste. 400  
Elmsford, NY 10523

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Library card number: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Please specify the type/format of the resource which you are requesting to be reconsidered. Check all that apply:

### Physical collection:

\_\_\_\_\_ Audiobook

\_\_\_\_\_ Book

\_\_\_\_\_ Magazine/Newspaper

\_\_\_\_\_ Movie

\_\_\_\_\_ Music

\_\_\_\_\_ Other (Please specify) \_\_\_\_\_

### Digital collection:

\_\_\_\_\_ Audiobook

\_\_\_\_\_ Book

\_\_\_\_\_ Magazine/Newspaper

\_\_\_\_\_ Movie

\_\_\_\_\_ Music

\_\_\_\_\_ Other (Please specify) \_\_\_\_\_

Title of the material/resource:

\_\_\_\_\_

Author/Producer/Content Creator: \_\_\_\_\_

In what collection did you find this material/resource?

\_\_\_\_\_

What brought this material/resource to your attention?

\_\_\_\_\_

Have you examined the entire material/resource? If not, indicate the sections you did review:

\_\_\_\_\_

\_\_\_\_\_

What concerns you about the material/resource?

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Are there resources that you suggest providing additional information and/or other viewpoints on this topic? \_\_\_\_\_

What action are you requesting regarding this material/resource?

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