

## WICHITA PUBLIC LIBRARY

Minutes of a Regular Meeting of the Library Board of Directors  
August 20, 2019.

The regular meeting of the Library Board of Directors was held on Tuesday, August 20, 2019 at the Advanced Learning Library with the following present: Mr. Lamont Anderson, Mr. Axel Chacon, Ms. Donna Douglas, Dr. Justin Henry, Ms. Lauren Hirsh, Mr. Randall Johnston, Ms. Shannon Littlejohn, Mr. Kevin McWhorter, Ms. Shelby Petersen, and Mr. Jonathan Winkler.

### Staff Presentation

Digital Services Manager Jeff Tate presented information about upgrading technology provision to enhance the customer experience. The first platform introduced was Beanstack. This replaces the current reading program tracking software, which will not be available after October of this year, and offers more robust functionality and an improved customer interface. Data migration testing is currently underway. The new system is expected to go live on September 16.

The second product is one being considered for implementation. Aira is an assistive technology that uses smartphone cameras and an app to allow low-vision customers the ability to connect with highly-trained agents dedicated to providing accurate and objective spoken information about the visual environment. The service can be accessed through a personal subscription, or it can be offered as a free service by an entity like the library. Eisenhower Airport already provides access of the latter kind to its customers.

### Call to Order

President Kevin McWhorter called the meeting to order at 12:13 p.m., a quorum being present.

### Approval of the Agenda

Donna Douglas moved (Hirsh) to approve the agenda as published. **Motion carried unanimously.**

### Public Comment

Joan Phillips stated that she is happy about the programming presenter background checks and the classes being offered to staff about child safety. Ms. Phillips asked the Board to consider background screenings for individuals 14 years of age and older, including volunteers as well as program presenters, and suggested that reference interviews be undertaken (to the extent possible) by library staff with expertise in the program topic. She stated that the wording of the policy needs strengthening and suggested delaying the final vote. Ms. Phillips shared written copies of her remarks with members of the Board.

Craig Coffey asked the board to consider amendments to the proposed background screening policy to prohibit all registered sex offenders and those convicted of violent crimes from having contact with children in the library. Attachment A provides a complete transcript of Mr.

Coffey's remarks.

### **Approval of Minutes**

Minutes of the regular meeting held on July 16, 2019 were presented. Shannon Littlejohn moved (Hirsh) to approve the minutes as included in board packets. **Motion carried unanimously.**

### **Finance Committee Report**

President Kevin McWhorter stated that the committee did not meet prior to the meeting.

President McWhorter moved (Anderson) to approve the revenue report and the 204 report of expenditures for July 2019 as included in board packets. **Motion carried unanimously.**

Mr. McWhorter moved (Henry) to approve the report of bills for July 2019 in the following amounts: General Fund operating bills of \$849,094.00; Grant Fund Bills of \$7,410.13; Grant Fund Credits of \$36,087.68; and Gift & Memorial Fund bills of \$788.54 for a total of \$821,204.99. **Motion carried unanimously.**

Mr. McWhorter moved (Littlejohn) to approve the subscription invoice from NewsBank in the amount of \$21,199.00 and the subscription renewal of the AtoZ Database in the amount of \$15,710. **Motion carried unanimously.**

Mr. McWhorter moved (Anderson) to authorize staff to transfer the remaining balance of the 2018 SCKLS grant into the SCKLS Facilities Improvement Fund. **Motion carried unanimously.**

### **Operations Committee Report**

Committee Chair Jonathan Winkler stated that there was not a quorum at the meeting. Mr. Winkler advised the board that upcoming policy changes will be brought to the board in September. These include changes to the bylaws, which require four weeks' written notice.

### **Planning & Facilities Committee Report**

Committee member Justin Henry reported that items at the Advanced Learning Library being worked on include a pane of broken glass, conference center HVAC systems, and landscaping.

### **Public Affairs Committee Report**

Committee Chair Lamont Anderson reported that letters for the City Council and legislators are ready to be sent. These letters enumerate all of the good things happening at the Library.

### **Special Committee Reports**

*Friends of the Library* – no report.

Library Foundation – no report.

Wichita Genealogical Society (WGS) – Jim Byrum reported that WGS members are working with staff to process materials donated by the Kansas Chapter of the Daughters of the American Revolution. Membership stands at 207 members. The last quarterly meeting, *Railroaded - The Industry that Saved Kansas*, was well attended. The Society's annual conference will be held on October 5.

### **Director of Libraries Report**

Director Berner reported that City Council has approved the City operating budget with an additional \$50,000 for digital collections. The Branch Master Plan has been completely funded in the adopted Capital Improvement Program budget.

A receipt that was posted online demonstrating the amount of money saved by a Wichita library customer recently went viral. Staff received requests for additional information from a variety of news outlets and libraries from across the United States and Canada.

Plans for the Children's Learning Garden are nearing completion.

Local Author Day will be held at the Advanced Learning Library on August 24. The Friends of the Library's next used book sale will be held August 28 and 29.

### **Unfinished Business**

None

### **New Business**

Jonathan Winkler moved (Douglas) to approve policy REF-015 Program Presenter Background Screenings as included in board packets.

Lauren Hirsh asked Mr. Winkler to clarify the reasoning for having staff make a decision about use of a presenter found to be on the sex offender registry rather than simply disqualifying that individual from becoming a presenter. Mr. Winkler replied that due to the divergent criteria applied by the various jurisdictions maintaining sex offender registries in the United States, some items reported in one state may not be reported in another. The intent of the wording in the proposed policy is to afford flexibility for allowing candidates with difficult pasts to present if it is determined that these should not be prohibitive for the event under consideration. Mr. Winkler cited an example of someone being required to register as a result of a conviction for consensual gay sex, which was illegal in some states before 2003, and then moving to another state where registration as a sex offender in any other US jurisdiction puts one on that state's sex offender registry for life, regardless of the severity of the offense or the present legality of the conduct that triggered the original requirement to register.

Lamont Anderson asked if the intent of the wording in the last paragraph of the first page of the proposed policy meant that a potential presenter appearing on the sex offender registry might still be allowed to present a program at the library. Mr. Winkler responded that staff would

review information from the registry and would then determine if the offenses were of a nature that should exclude the person from presenting.

Axel Chacon advised that the Board needs to ensure it is open about the process and strict on what determines eligibility to present or not. He recommended developing an appeal process for presenters who are disqualified from presenting as a result of the background screening.

Randy Johnston asked which staff member(s) would make the decision about disqualification of a presenter if a match to a sex offender registry is found through the background screening process. Director Berner explained this would be handled in the same way as background checks for volunteers, with a senior staff member completing the review.

Shelby Petersen suggested that the policy be returned to the Operations Committee to address the questions and concerns raised about wording in the policy.

Shannon Littlejohn stated that the wording currently used in the proposed policy allows for flexibility so as to not exclude individuals who may be appropriate to present for a specific program.

Justin Henry cautioned against designing a policy around specific cases of extreme hardship. Decision-making authority should stay with staff; however, there should be an appeal process for individuals who are not selected as presenters due to information from the background screening.

President McWhorter opened the floor to public comment about the proposed policy.

Roxy Que suggested that Kansas State Supreme Court rule 707, which relates to character and fitness qualifications for admission to the bar, be used as a set of guidelines for selecting program presenters at the library in cases where the results of an initial check prompt further scrutiny. The list of sex crimes in the last paragraph of the first page of the draft policy does not cover all of the sexual offenses specified in statute. There is no need to itemize specific crimes because the phrase *sexual offenses* is an umbrella term for these crimes. The policy also has no provision for disqualifying potential presenters for violent crimes that are not sex-related.

Craig Coffey, citing his experience in prison ministry and as a police chaplain, stated that people are not placed on the sex offender registry for trivial reasons. The policy must be examined carefully as a tool for managing legal liability. The Board should reconsider the wording issues in the draft policy that had been noted during the meeting.

Gail Richardson stated that the policy should be sent back to committee to review. More guidelines and assurances are needed to ensure that program presenters and performers are limiting programs to the information identified at the time a program is selected for the Library's schedule.

Virginia Miller stated there is a difference between discriminating and elevating. Ruling out program presenters with a criminal background is not discriminating. The Library should not let just anyone present. She advised that if presenters with a criminal background are allowed to present, then this history should be disclosed to attendees at the beginning of a program.

President McWhorter asked Mr. Winkler if he would like to amend the motion to approve the policy as presented, or withdraw it altogether. Mr. Winkler said that he preferred to leave the motion on the table since he believed that experience of the policy in operation afforded the best opportunity for identifying useful improvements.

President McWhorter made a replacement motion (Johnston) to send the proposed policy back to the Operations Committee for further review. The motion **passed** by a vote of 8-2 with Jonathan Winkler and Donna Douglas dissenting.

### **Announcements**

None

### **Adjournment**

The meeting was adjourned at 1:32 p.m.

The next regularly scheduled meeting will be September 17, 2019.

Respectfully submitted,

Cynthia Berner  
Director of Libraries

Attachment A

Wichita Public Library Board of Directors  
711 W 2<sup>nd</sup> St.  
Wichita, KS 67203

Dear Board Members:

Please enter this Statement into the meeting minutes in it's entirety. This is a modified Statement similar to the Statement I submitted to the Board for the July meeting. The Library Director later notified me that Statement was given to the Board members but was not entered into the public record. Reason given was that I wasn't present to personal deliver the Statement pursuant to a vague policy that was also used by the City Commission. I will state for the record the cited policy is NOT uniformly applied or practiced by this Board nor the City Council.

I have closely examined the original draft and the latest revision of the proposed background check policy for anyone seeking to participate in Library programming activities. I will speak directly to this proposed policy as it pertains to the Drag Queen Story Hour or ANY overture from the LGBTQ community to have access to our children. My concerns are heightened due to recent news stories exposing the fact that libraries across this nation are permitting registered sex offenders to have access to children through programming policies as encouraged and supported by the American Library Association. Sadly, this Board recently adopted such a Policy in spite of vast community opposition and without the public being FULLY informed of it's content.

The background check policy SHOULD have been addressed FIRST before the new Programming Policy was adopted. This was a point myself and others brought before this Board PRIOR to the Programming Policy being quickly adopted BEFORE the public was fully informed as it's intent. You acted rashly. So did the other libraries across this country. Now we are seeing the long-term effects of such recklessness as numerous incidents are being reported involving inappropriate contact between Drag Queen Story Hour participants and innocent children.

Those of us opposing these types of ill-advised Programming Policies are not surprised, because we see it as a natural consequence of the LGBTQ agenda as it is directed toward the progressive liberal indoctrination of our children. This was their stated public agenda from the very beginning and verifiable evidences of that agenda was presented to this Board at previous meetings. The American Library Association is also complicit in this social engineering.

What I am seeing from Page 3 of the Policy is that even if a prospective presenter IS a registered sex offender and/or a convicted violent crime offender that fact MAY NOT necessarily exclude that person(s) from having "story hour" contact with children. In view of the fiascos we see from this issue in many other libraries across the nation, I feel that a FIRM policy to exclude ANY registered sex offender or convicted violent offender from having contact with children should be implemented. This include ANY convicted felon of ANY violent crimes in addition to sex offenses.

The fact that one or more Library personnel, likely already sympathetic to the LGBTQ and other progressive liberal agendas, is to be present in such a program is NO guarantee of our children's safety. The proposed policy STILL has loopholes that would permit a registered sex offender or a convicted violent crime offender to gain physical contact with children. Even aside from the obvious moral factor, the Board would also be opening yourselves up to legal liability in the event of a child molestation or other inappropriate adult/child contact. I am quite sure the other libraries shared your mindset that "this could never happen here as we reach out to marginalized people groups". Are you willing to accept that risk along with that liability?

I have two questions to present to the Board today. 1) Will the proposed background check policy allow a registered sex offender to have access to children in the Library? 2) Will this policy allow convicted violent crime offenders access to children in the Library? The obvious answer is "yes" to both questions. Please close the loopholes!

It is apparent from examining this proposed background check policy that the Library intends to act quickly in adopting it..... as you did the Programming Policy without the public being FULLY informed and given opportunity to express any organized opposition. I formally request that this proposed policy be tabled until the public is FULLY informed and given ample opportunity to either support or reject it.

My suggestion would be for the Board to be totally transparent during this process. Simply placing this information on a hard to locate Agenda on the Board of Directors tab on the bottom of the Library website is not sufficient. Many people have no knowledge of that location or how to search for it. An activity of this nature and importance SHOULD be prominently displayed and highlighted as a headline on the front page of your website. A press release would also be appropriate. This goes straight to the issue of transparency and openness. Please take this Statement under careful advisement.

Respectfully,  
Pastor Craig Coffey