



PCLS BOARD OF TRUSTEES MEETING MINUTES

URGENT - Policy Committee Meeting

January 28, 2026, 3:00 pm

Sarlin Community Library – Liberty, SC

15 S. Palmetto Street Liberty, SC 29657

Recommendations of Policies to bring to Library Board meeting on February 12, 2026

Meeting started at 3:01 pm. Ms. Pinkerton, Mr. Aiken, and Ms. Miller of the Policy Committee were in attendance. Dr. Wheeler, Mr. Sams and Mr. Parton were in attendance as well.

1. Motion to accept changes in Constitution Article V

Ms. Pinkerton explained that the phrase, “Secretary-Treasurer,” in the Board of Trustees Constitution article V needs to be updated to separate the offices of Secretary and Treasurer and include the line “The Treasurer will work with the Director on the annual budget” explain what the Treasurer does. Ms. Pinkerton made a motion to accept the updates to Board of Trustees Constitution article V as written and bring them to the Board to vote on. Mr. Aiken seconded the motion. Unanimous approval.

2. Motion to accept changes in By-laws: Article IV & Article IX

Ms. Pinkerton explained that the phrase, “Secretary-Treasurer,” in the Board of Trustees By-laws article IV needs to be updated to separate the offices of Secretary and Treasurer. Ms. Pinkerton made a motion to accept the update to the Board of Trustees By-laws article IV, as written, to separate the offices of Secretary and Treasurer and to update the dates in the By-laws article IX from July 1 to June 30 with the dates January 1 to December 31 to align with the board terms. Mr. Aiken seconded the motion. Unanimous approval.

3. Motion to accept Collection Policy with updated changes as written

Ms. Pinkerton made a motion to submit to the board the Collection Policy that was sent to the policy committee with the updated changes as written. Ms. Miller seconded the motion. Ms. Pinkerton called for the vote. The Director asked that there be discussion because she has questions. Ms. Pinkerton allowed discussion. The Director pointed out that the policy has an extra step that is not necessary. It says in the policy:

“The following criteria for children material will not be included in the Children (0-6 years of age) Collection:

1. Adult nudity
2. Sexual descriptions
3. Vulgar language

**If material contains the above criteria, they should be moved to the next age group, which is the juvenile collection (7-12 years of age).

The following criteria for juvenile material will not be included in the Juvenile (7-12 years of age) Collections:

1. Adult nudity

2. Sexual descriptions

3. Vulgar language

** If material contain the above criteria, they should be moved to the next age group, which is the Teen Collection (13-17 years of age)."

The Director stated that the criteria is the same for moving it from children to juvenile and from juvenile to teen. Ms. Pinkerton explained, "The only reason not to do that is because the vulgar language might not be as bad. Meaning, if it's in 0 to 6, I thought if it was like "darn" or something like that, it could be in the juvenile for 7 to 12 and instead of moving all the books, I thought I would leave some interpretation up to the library staff for that." The Director replied that we need specifics for the library staff.

Mr. Aiken agreed that both have the same criteria so they should just be moved to teens.

Dr. Wheeler offered a suggestion to have it say, "materials that are otherwise classified at a children's or juvenile level and contain the following content will be moved to the next higher level." The policy committee agreed.

The Director pointed out another thing that could be problematic from a legal standpoint is were it says, "For the purposes of this policy, and in conjunction with South Carolina Code of Law, Section 16-15-305, material is considered graphic content if a person applying contemporary community standards relating to the depiction or description of sexual conduct would find that the portion of material appeals to the prurient interest, and/or the material can be considered gratuitous sex because it involves descriptions or depictions of carnal detail of a sexual act or encounter." The Director said, "You talk about the law, but you changed the wording of the law, and I think that could be problematic. Because 16-15-305 is a criminal law for obscenity, and it says... "the average person applying contemporary community standards relating to the depiction or description of sexual conduct would find that the material taken as a whole..." is written in the law. In this policy, it says, "portions of the material" and I think if you're citing the law, you have to cite the law, you can't cite the law and change what the law says. Because this says "taken as a whole" is said repeatedly in the law. And in the policy, it says that you're judging it on "portions of materials." And you really have just substituted that, it says word for word in the law, but that you've substituted "portions of materials," where the law it says, "taken as a whole." And I think that could be problematic if you're citing a law, but you're changing the wording of the law." Dr. Wheeler agreed that the law is meant to be taken inclusively, not picking and choosing which parts of it you use. The Director pointed out that one of the options is to take it out, and one option is to change the wording.

Ms. Miller suggested that they don't reference the law. Ms. Pinkerton said, "The law was recommended to put in there like that, but I am okay as long as we keep the spirit." The Director asked, "who recommended it?" Ms. Pinkerton replied, "Several people have. The State Library Director has." The Director asked, "She recommended we put the law in there and say, "portions of materials"?" Ms. Pinkerton said, "That paragraph was hers." The Director responded, "That's interesting. Again, she has no liability, you all have the liability."

Ms. Pinkerton asked the policy committee if they should take that out or leave it in. Ms. Miller said, "Just take out that phrase. And just say, "for the purpose of this policy material is considered graphic content if:" Ms. Pinkerton suggested stating the law but not including the explanation of it. Ms. Miller said, "I actually feel comfortable just leaving it in if this is what Ms. Aiken [State Library Director] said and that's the part she gave you." Ms. Pinkerton suggested leaving the law in there and changing the word 'portion' to 'whole' or taking the law out and amending the policy later.

Mr. Aiken made the point that the community standards of the area from which the jury is drawn is what will determine the prurient appeal. Mr. Aiken said, "So in my mind, we could actually leave that in there, because you need to make sure that it's not quote, the law. Duly noted, if you're quoting verbatim law, it needs to be quoted verbatim, but if you're merely citing a law, it probably would have to be quoted verbatim. The Director clarified, "You're just quoting verbatim, except for that one very important part, that's why I think that could be dangerous."

The policy committee agreed to cite the law but not to quote it. Ms. Miller suggested the wording, "For the purpose of this policy, South Carolina code of law section 16-15-305 will be used as guidance."

Dr. Wheeler pointed out that the policy still violates the law because the language that follows uses the word 'contained' and the work has to be taken as a whole.

The Director pointed out that this is the criminal obscenity law and the bar for that is extremely high. The things that have been moved by the board and by library staff would not meet the standard for obscenity law. The Director said, "There is nothing that would raise to the legal standard of obscene in this library system. The people who published it would be in jail, the people who sold it to us would be in jail, etc.; the authors would be in jail. So, I'm just saying that is a high bar, and this is the obscenity law."

The Director explained that because the obscenity law is such a high bar, they need to know how to implement this policy. Staff will need specifics to know what to move and what not to move.

Ms. Miller stated, "This policy is extremely similar to many, many other counties in South Carolina because we've read them. There have been no lawsuits, no arrests, no problems except in Greenville. Yeah, because they started separating transgender issue books and we are not doing that. We're just saying age-appropriate, protect the minors." The Director responded, "When you say 'age-appropriate, protect the minors' you have to be very specific about what you want moved where." Ms. Miller replied, "As I said, there have been no other lawsuits with policies like this." The Director said, "Greenville has a lawsuit right now." Ms. Miller said, "What I just said, and we are not addressing those issues here. The Director said, "You're moving it based on content."

Ms. Miller stated, "We knew there was going to be disagreement about this. That's why we called this meeting. With the last time this policy was passed, we were not allowed to have any input whatsoever during a meeting like this. And it was passed in a rush. And so, we're taking our time this time; we want this policy passed. We're the majority. You know, we could sit here and talk about this for 5 more hours and still not agree."

The Director explained, "If you look in your guidebook from the state, policies usually come from staff and then go to the board. How it happened last time is staff developed a policy; we asked the chair and the vice chair to look at the policy. Managers throughout the library looked at the policy. There were several levels. And then it went to the state librarian, and she looked at the policy. Followed the policy, received the money. Because under that policy, we're still meeting the guidelines of..." Ms. Pinkerton interjected, "Okay, lets move on, so we're not here forever." The Director stated, "I just want it noted that I was trying to advise you and I was cut off."

Ms. Pinkerton clarified that the paragraph would read, "For the purpose of this policy, South Carolina code of law section 16-15-305 will be used as guidance."

The Director asked, "I just wanted to ask you, what is your vision for the implementation of this? Because you took out the publisher's age range... What is your understanding of how we would implement this? We would go through the books looking for these terms that are kind of broad?... Because we can't judge it on what you think is vulgar, whoever the staff person is judging that book has to make that decision." Ms. Pinkerton

added, "According to community standards, right?" The Assistant Director asked, "So what is the community standard?" Ms. Pinkerton stated, "Well, obviously sexual graphic and explicit material that is in for minors is a problem." The Assistant Director said, "I think that's vague, though." Ms. Pinkerton asked, "How is that vague? It says graphic depictions or descriptions of rape, pedophilia or incest. How is that vague?" The Assistant Director explains that everyone has a different idea of what is graphic.

The Director stated, "We have to implement this, so we need to know what your understanding is." Ms. Pinkerton said, "Then come up with ideas to help implement this, because what I'm saying is graphic depictions, if you look at the definition, it's pretty clear if there's rape, pedophilia, incest in there that's pretty clear."

Ms. Miller said, "I think a good place to start is to look back at the books that have been reconsidered and put back on the shelves for young adult. So, I think that's a perfect place to start."

Mr. Aiken made the point that library staff determine where the books go from the start and parents should make the determination of what their kids can and can't read, but if a parent doesn't know that this stuff is in the younger sections of the library then the community would have a problem with that.

The Director pointed out that we do determine where the books go based on the information that we have available when the books are being ordered and the remedy for that is the reconsideration process. The Director asked, "Are you expecting us to go through the books that are currently on the shelves and decide whether they need to be moved or not, because that is going to take a really long time? And are you expecting that we look through the books in their entirety when they come in to make sure that they're... because we can't do that. The remedy for that is the reconsideration policy." Ms. Miller replied, "It is going to take a while. And I think you start by saying all "and up" books go to the adult section or the young adult section." The Director said, "I thought we removed that." Ms. Pinkerton replied, "I did, because you said it was too confusing. See you guys keep telling us what's confusing and we change things to kind of meet the middle road so that it's not so confusing. And then when we put in specific criteria, then you say, well that's too vague also. So, please inform us what would make you come to the middle road here."

Ms. Miller stated, "And just because it's not in the policy, doesn't mean you can't common sense do it if it says "and up" it doesn't belong in the young adult, it belongs in the adult. The Director replied, "Some do, because some publishers, everything they create for teens is "and up" because adults may enjoy the book, and they're trying to sell it to as broad a range as possible." Ms. Miller responded, "But you know, you're supposed to be curating the books. You guys can make those judgements. The only thing we don't want is graphic sex in underage sections of the library. Protect minors." The Director replied, "Some parents are okay with that. I think you're stepping in for the parent." Ms. Pinkerton said, "But they can get permission." Ms. Miller said, "Then they can go to the adult section." The Director said, "But you're making parents that are okay with that go on a scavenger hunt to find books."

Ms. Pinkerton explained about a conversation they had last year, "You guys suggested that we need to, that the parents can be with the kids and walk through and look over the book and read the book." The Director said, "they should be." Ms. Pinkerton added, "They can do the same thing if they give permission to the adult section." There was discussion about the research done to review a book to add to the collection and if in that research a teen book is found to have graphic and mature themes, then the book would go into the adult section. The Director pointed out that this is the exception not the rule. Ms. Pinkerton said, "But we're trying to make a rule. So why can't the exception be to the rule that parents give permission for them to go see the books in the

adult section? Why can't that be the exception to the rule, meaning the books are moved up as rule and then parents are guiding their teenagers to be able to choose that section as the exception to the rule?"

The Director explained, "Because the way that we've done this new card, parents would have to give their children the option to check out in the adult section to get to the teen books, and it would be the majority of the teen books that I think, based on this, that we would be moving." Ms. Pinkerton replied, "So you're telling me that most of the teen books have sexual content in them that we have on the shelves?" The Assistant Director explained that almost any coming-of-age book, which is a very popular topic for teens books, because they are growing up, coming of age and everything is about relationships." Ms. Miller responded, "It can be about relationships with out having graphic sex." The Director replied, "It can, and there's some of that too. And that's where we need to find that line."

Ms. Pinkerton explained, "And by making specific things like this on here for the criteria, was also trying to stop some of the... the books that...if we used just the rating system, a good point was the "13 and up" "14 and up," then some of the good books that don't have this information, the graphic stuff in it, would be also moved. So, by moving to this, the collateral damage of those books would still stay in teens, because it's not just moving it up, if it has no sexual content and then it would stay in the teen area. So that is why it was moved to this, because it was very specific on the criteria for the materials. And now you're saying that we have a lot of books that have this... I don't even know the words to say...have some bad things in it." The Director said, "According to you they are bad." Ms. Pinkerton expressed that according to the director she would have to walk with her child through the library to make sure of the books that they are getting. The Director responded, "If that is how you choose to parent, yes." Ms. Pinkerton suggested putting a sign up that tells parents that some books may be graphic.

The Director again asked what the expectation for implementation is; if staff should focus on the books that are coming in or go through the whole youth collection. Because to do the whole youth collection, she will need to formulate a plan and pull resources to get this accomplished.

Mr. Aiken said that he feels a collection policy deals with the books we are collecting and bringing in. The Director asked if that means you don't think we should go through the whole collection. Mr. Aiken replied, "I'm not saying that they won't need to be dealt with."

There was discussion about the proviso being permanent law versus a yearly budget provision that could change or be completely pulled out next year.

Ms. Pinkerton asked if the library has received the first payment of state aid for this fiscal year. The Director pointed out that we have received it with the current policy we have in place right now and there was no further communication from the delegation. The library card policy and application require parental consent for minors, and parents must specify what sections their child can check out from. A minor has always had to have a parent sign them up for a library card. The Director said, "Now, whether their parent wants to stay with them in the library or send them to the library, that is the parents responsibility." Ms. Pinkerton said, "The parent does not know that all this stuff is in the library in the teen section." Ms. Miller stated, "That's been proven over and over again. The parents are ignorant."

Ms. Pinkerton expressed that she used to use the Pickens Library branch as a homeschooling resource for her son, but when she joined the library board and found out all this stuff, she was scared to use it.

The Director pointed out that there are thousands of people that use the teen section, who don't have a problem with it.

Ms. Pinkerton explained that they have to service the whole community and there are people in the community that are not happy with the selection in the teen section, so by keeping the old collection policy we are only pleasing some of the community not the whole.

The Assistant Director mentioned that if you're pleasing another part of the community, then you're going to make the other part of the community unhappy. Ms. Pinkerton replied, "But they can still get the book."

The Assistant Director stated, "Sund Vs city of Wichita Falls. The judge wrote, 'If a parent wishes to prevent her child from reading a particular book that parent can and should accompany the child to the library and should not prevent all children in the community from gaining access to constitutionally protected materials. Where First Amendment rights are concerned, those seeking to restrict access to information should be forced to take affirmative steps to shield themselves from unwanted materials. The onus should not be on the general public to overcome barriers to their access to fully protected information.'"

The Director explained, "If you want to move forward with this policy, I just need to know your expectations are for implementation. Do you want us to look through all the books and the books that are coming in?" Ms. Pinkerton said, "Yes."

Dr. Wheeler brought out that the way this collection policy is written to decide whether it meets that criteria, you would have to look through every children's, juvenile, and teen book in the library.

Ms. Miller stated, "I think it's the boards place to make the policy and it's the Director's place to come up with a plan of how she's going to implement the policy." The Director replied, "That's why I'm saying, what does it look like to you, so that so that I can implement a policy to make sure I know what your intention is."

The Assistant Director stated, "We're asking all these questions because we want to make sure that the policy is something that doesn't violate anybody's rights and that it is something that we can reasonably implement. That's why we're asking these questions and bringing up these cases. It's not because we want to sit here and argue about it. If we thought that this was legal or we wouldn't have any questions, then we wouldn't have any issues."

Ms. Miller asked, "If we're just moving the books, how are we violating anyone's rights?"

The Assistant Director replied, "Because you're segregating then based on the content, and there's been multiple cases about that."

Ms. Miller replied, "I'm still waiting to see a list of those cases." The Director mentioned that she sent a list to Ms. Miller in August, but she will send her another one.

Mr. Aiken made the point that every book in the library is categorized based off of content already. The Director pointed out that it's not only content, but also who they were written for.

The Director stated, "We are going to try to implement this to the best of our ability."

Ms. Miller stated that she knows this is hard for the Director because it goes against the way she's been running the library for years. The Director replied, "This goes against a lot more than that."

Ms. Pinkerton made a motion to accept the collection policy with the amendments to bring to the board. Mr. Aiken seconded the motion. Motion carried unanimously.

4. Motion to accept Review of Material Policy with updated changes as written

The Policy Committee agreed upon the following amendments for the materials policy:

- Pg. 1 Para. 4 - "Pickens County community members can have (1) active Reconsideration Requests every (30) days"
- Pg. 2 #4 - "The Library Director will select (2) professional librarians to conduct an independent review of the library material. This individual shall consult and rely upon the standards stated in the board-

approved *Collection Policy*. The librarian will provide their individual recommendation to the Director, after reading the whole book and doing some research using expert sources and reviews. The director will consider this recommendation along with the *Collection Policy* and make final decision which will be emailed to the petitioner within (15) business days of receipt of their initial request. If additional time is needed the Director will notify the petitioner and the Chairman with anticipated new date.”

- Pg. 2 #5 - “Before the meeting at which the review will be discussed, the Library Board will be required to read the whole book”
- Pg. 2 #5 - “The Director will gather together all the information related to the request and send it to the Chairman of the Board, who will add the request to the next Board meeting that follows an intervening period of at least (30) days from the time the Chairman’s receipt of the information.”

Mr. Aiken made a motion to recommend the board accept the review of materials policy with the amended changes. Ms. Miller seconded the motion. Motion carried unanimously.

5. Motion to table ALA – Library Bill of Right & Freedom to Read

Ms. Miller made a motion to table ALA – Library Bill of Rights & Freedom to Read. Mr. Aiken seconded the motion. Motion carried unanimously.

Meeting ended at 4:10 pm