

AGENDA
GREAT FALLS PUBLIC LIBRARY
BOARD OF TRUSTEES MEETING
Tuesday, February 25, 2025
Great Falls Public Library – Cordingley Room (Library Basement)
(Virtual access to meeting available upon request • 406-453-0349)
Notice: Meeting will be recorded via Zoom
4:30 P.M.

Our Mission

The Great Falls Public Library serves as a connection point; we empower the community and enhance the quality of life by providing individuals access to information and social, cultural, and recreational resources.

- I. AGENDA APPROVAL
MOTION...THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES APPROVE/DISAPPROVE THE AGENDA AS PRESENTED.
- SECOND PUBLIC COMMENT BOARD DISCUSSION VOTE
- II. PLEDGE OF ALLEGIANCE
- III. STAFF INTRODUCTIONS
- IV. PUBLIC COMMENT
- V. ADOPTION OF THE MINUTES OF THE REGULAR JANUARY MEETING (Pages 1-7)
MOTION...THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES APPROVE/DISAPPROVE THE MINUTES AS PRESENTED.
- SECOND PUBLIC COMMENT BOARD DISCUSSION VOTE
- VI. ACCEPTANCE OF THE FINANCIAL REPORTS (Pages 8-17)
- A. INCOME STATEMENTS JANUARY 2220 (OPERATING BUDGET)
 - B. INCOME STATEMENTS JANUARY 2221 (FOUNDATION/DONATION BUDGET)
 - C. CASH FLOW SHEET FEBRUARY
 - D. LIBRARY VENDOR SUMMARY FOR JANUARY
 - E. FOUNDATION VENDOR SUMMARY FOR JANUARY
 - F. JANUARY DONATION REPORT
- MOTION...THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES ACCEPT/NOT ACCEPT THE FINANCIAL REPORTS AS PRESENTED.
- SECOND PUBLIC COMMENT BOARD DISCUSSION VOTE
- VII. REPORTS (Pages 18-40)
- A. MANAGEMENT TEAM REPORT (COMMUNICATIONS)
 - B. DIRECTOR REPORT
 - C. STATISTICAL REPORTS
 - D. PERSONNEL REPORT
 - E. GFPL FOUNDATION REPORT
 - F. CHAIR REPORT
 - G. BOARD REPORTS

VIII. OLD BUSINESS

- A. CITY/LIBRARY MANAGEMENT AGREEMENT: APPROVE LIBRARY FISCAL POLICY (Pages 41-45)

MOTION... THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES APPROVE/DISAPPROVE THE LIBRARY FISCAL POLICY AS PRESENTED.

SECOND PUBLIC COMMENT BOARD DISCUSSION VOTE

- B. CITY/LIBRARY MANAGEMENT AGREEMENT: APPROVE LIBRARY STAFF OVERSIGHT POLICY (Pages 46-51)

MOTION... THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES APPROVE/DISAPPROVE THE LIBRARY STAFF OVERSIGHT POLICY AS PRESENTED.

SECOND PUBLIC COMMENT BOARD DISCUSSION VOTE

- C. CITY/LIBRARY MANAGEMENT AGREEMENT: APPROVE LIBRARY TRESPASS POLICY (Pages 52-55)

MOTION... THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES APPROVE/DISAPPROVE THE LIBRARY STAFF OVERSIGHT POLICY AS PRESENTED.

SECOND PUBLIC COMMENT BOARD DISCUSSION VOTE

- D. PUBLIC LIBRARY STANDARDS: QUARTERLY TRAINING (Page 56)

- E. SCHEDULE SPECIAL MEETING TO ADDRESS PERSONNEL ISSUE

IX. NEW BUSINESS

- A. ADDRESSING THE REQUIREMENTS OF HB 121

X. PROPOSALS/COMMENTS FROM TRUSTEES

XI. ADJOURNMENT

MOTION...THAT THE GREAT FALLS PUBLIC LIBRARY BOARD OF TRUSTEES ADJOURN THE MEETING.

SECOND VOTE



Library Board Meeting Date: February 25, 2025

**GREAT FALLS PUBLIC LIBRARY
BOARD AGENDA REPORT**

| | |
|--------------------------|---|
| Item: | Scheduling a special meeting |
| Presented By: | Susie McIntyre, Library Director |
| Action Requested: | Consensus decision to schedule a special meeting to address personnel issue |

Staff Recommendation: Staff recommends that the Library Board schedule a special meeting to address the personnel issue initially discussed at the January 2025 meeting.

Background: The agenda of the January 2025 Board of Trustees meeting, included a personnel issue. The Board met in executive session to discuss the personnel issue. After the executive session, the Board Chair requested that the personnel issue and another executive session be added to the February agenda.

In the intervening weeks, the vice-chair of the Board met with the City Manager regarding the personnel issue. She subsequently had individual conversations with most of the Trustees. The feedback from the majority of the Trustees was that they preferred to address the personnel issue in a special meeting rather than as part of the regular February meeting.

Significant Impacts:

The Board needs to address the personnel issue. It is essential that they designate time at a public meeting to do so.

Fiscal Impact: Scheduling a special meeting has no direct fiscal impact. Decisions about personnel issues have possible financial impacts.

- If a personnel issue is substantiated and the Board does not take action to correct the problem, it is possible that there could be legal and financial liability to the Library.
- If the Board takes disciplinary action against a staff person without good cause, it is possible that there could be legal and financial liability to the Library.
- If private personnel information about Library staff is released to the public, it is possible that there could be legal and financial liability to the Library.

Alternatives:

The Board could decide to NOT to schedule a special meeting and address the personnel issue at an upcoming regular meeting.

Attachments/Exhibits:

- None



Library Board Meeting Date: February 25, 2025

**GREAT FALLS PUBLIC LIBRARY
BOARD AGENDA REPORT**

| | |
|--------------------------|--|
| Item: | Library Board provide guidance on how to respond to HB 121 |
| Presented By: | Susie McIntyre, Library Director |
| Action Requested: | Library Board provide guidance on how to respond to HB 121 |

Suggested Motions:

1. Trustee moves:
...that the Great Falls Public Library Board of Trustees _____ .
 2. Chair requests a second to the motion, public comment, Board discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends that the Library Board discuss HB 121 and how best to respond so that the Great Falls Public Library can comply or can request clarification on how to comply.

Background: HB 121 has passed the both the Montana House and Senate and is being sent to the Governor for signature. The full text of the bill is included as an attachment.

- The bill applies to public buildings including libraries
- The bill requires that “A covered entity shall designate each multi-occupancy restroom, changing room, or sleeping quarters for the exclusive use of females or males.”
NOTE: GFPL has multi-occupancy restrooms on the first floor and in the basement.
- The bill defines female and male.
 - "Female" means a member of the human species who, under normal development, has XX chromosomes and produces or would produce relatively large, relatively immobile gametes, or eggs, during her life cycle and has a reproductive and endocrine system oriented around the production of those gametes. An individual who would otherwise fall within this definition, but for a biological or genetic condition, is female.
 - "Male" means a member of the human species who, under normal development, has XY chromosomes and produces or would produce small, mobile gametes, or sperm, during his life cycle and has a reproductive and endocrine system oriented around the production of those gametes. An individual who would otherwise fall within this definition, but for a biological or genetic condition, is male.
- The bill requires that “A covered entity shall take reasonable steps to provide individuals with privacy from members of the opposite sex in designated restrooms, changing rooms, and sleeping quarters.”
NOTE: This bill provides no additional information about what would be considered “reasonable steps.”
- This bill’s effective date is “Effective date. [This act] is effective on passage and approval.”
NOTE: This means that GFPL will need to be ready to follow the requirements of this law immediately if Governor Gianforte signs it into law.

Significant Impacts:

This agenda item offers NO opinion regarding the politics of HB 121. Great Falls Public Library must be committed to following all laws of the City of Great Falls, the State of Montana, and the United States of America. There are

significant concerns about the lack of guidance about how public entities are to “take reasonable steps to provide individuals with privacy from members of the opposite sex.”

The Library Director does not want staff to be in the position of determining the gender of Library patrons. Many people do not carry ID with them at the Library.

The Library Director also does not want the Library to risk legal liability from either a failure to properly enforce the provisions of this bill or from an invasion of patron’s privacy.

Fiscal Impact: It is unclear what the financial ramifications of HB 121 will be.

- The Library has multi stall bathrooms on the first floor and in the basement. If a Library patron uses a bathroom that doesn’t correspond to their gender, it is possible that there could be legal and financial liability to the Library.
- If staff intervene or request private information about an individual before we allow them to use the restroom, it is possible that there could be legal and financial liability to the Library.
- Any remodeling of the bathrooms or posting of additional signage will have a financial impact.

Alternatives: The Board has several alternatives in choosing how to respond to HB 121

- The Board could table this discussion and request further information and discussion at a future meeting.
- The Board could decide that current Library policy and signage is sufficient to meet the legal requirement to “take reasonable steps.”
- The Board could direct staff to update bathroom signage or remodel the bathrooms.
- The Board could direct staff to more closely monitor the usage of restrooms and to request identification if there is question about which restroom a patron should use.

NOTE: Staff greatly cautions against this option. The Board will need to provide guidance on what to do if a patron does not have or refuses to provide identification.

- The Board could decide to join litigation regarding the impact of this bill on public entities.

NOTE: Attorneys are available to discuss potential litigation challenging the constitutionality of HB 121..

Attachments/Exhibits:

- Text of HB 121

1 HOUSE BILL NO. 121
 2 INTRODUCED BY K. SEEKINS-CROWE, E. BYRNE, L. DEMING, N. DURAM, S. FITZPATRICK, J. FULLER,
 3 J. GILLETTE, S. GIST, G. HERTZ, S. KELLY, S. KLAKKEN, G. KMETZ, B. LER, K. LOVE, S. MANESS, R.
 4 MARSHALL, T. MCGILLVRAY, B. MITCHELL, F. NAVE, G. OBLANDER, G. OVERSTREET, A. REGIER, M.
 5 REGIER, V. RICCI, J. SCHILLINGER, C. SCHOMER, L. SCHUBERT, T. TEZAK, M. THIEL, Z. WIRTH, C.
 6 GLIMM, D. LENZ, M. NOLAND, B. USHER, J. HINKLE

7
 8 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR PRIVACY IN CERTAIN RESTROOMS,
 9 CHANGING ROOMS, AND SLEEPING QUARTERS; REQUIRING THAT COVERED ENTITIES DESIGNATE
 10 MULTI-OCCUPANCY RESTROOMS, CHANGING ROOMS, AND SLEEPING QUARTERS FOR THE
 11 EXCLUSIVE USE OF MALES OR FEMALES; REQUIRING THAT INDIVIDUALS USE RESTROOMS,
 12 CHANGING ROOMS, AND SLEEPING QUARTERS DESIGNATED FOR THEIR SEX; PROVIDING
 13 DEFINITIONS; PROVIDING EXCEPTIONS; PROVIDING REMEDIES; AND PROVIDING AN IMMEDIATE
 14 EFFECTIVE DATE."

15
 16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 17

18 NEW SECTION. Section 1. Purpose. The purposes of [sections 1 through 4] are to:
 19 (1) reaffirm the longstanding meanings of the terms "sex", "male", and "female" in law; and
 20 (2) preserve women's restrooms, changing rooms, and sleeping quarters for women in facilities
 21 where women have traditionally been afforded privacy and safety from acts of abuse, harassment, sexual
 22 assault, and violence committed by men.

23
 24 NEW SECTION. Section 2. Definitions. For the purposes of [sections 1 through 4], the following
 25 definitions apply:

- 26 (1) "Changing room" means a room or area in which an individual may be in a state of undress in
 27 the presence of others, including a locker room or shower room.
 28 (2) "Correctional center" means a facility that houses individuals charged with or convicted of a

1 criminal offense and that is designed, constructed, or operated by the department of corrections.

2 (3) "Covered entity" means a correctional center, a juvenile detention facility, a local domestic
3 violence program, a public building, or a public school.

4 (4) "Female" means a member of the human species who, under normal development, has XX
5 chromosomes and produces or would produce relatively large, relatively immobile gametes, or eggs, during her
6 life cycle and has a reproductive and endocrine system oriented around the production of those gametes. An
7 individual who would otherwise fall within this definition, but for a biological or genetic condition, is female.

8 (5) "Juvenile detention facility" means a short-term detention center, a youth detention facility,
9 including a regional detention facility, or a secure detention facility that is under contract with the state or a
10 subdivision of the state.

11 (6) "Local domestic violence program" means a shelter or safe home for victims of domestic
12 violence that is funded by the Family Violence Prevention and Services Act grant program established in 44-7-
13 401.

14 (7) "Male" means a member of the human species who, under normal development, has XY
15 chromosomes and produces or would produce small, mobile gametes, or sperm, during his life cycle and has a
16 reproductive and endocrine system oriented around the production of those gametes. An individual who would
17 otherwise fall within this definition, but for a biological or genetic condition, is male.

18 (8) "Multi-occupancy" means a space that is designed for use by multiple individuals
19 simultaneously.

20 (9) "Public building" means a building that is owned or leased by a public agency as defined in 18-
21 1-101 and that is open to the public, including but not limited to:

22 (a) a building that is used for educational, office, or institutional purposes; or

23 (b) a library, museum, school, hospital, auditorium, dormitory, or university building.

24 (10) "Public school" means a noncharter public school or a public charter school as those terms are
25 defined in 20-6-803.

26 (11) "Restroom" means a room that includes one or more toilets or urinals.

27 (12) "Sex" means the organization of the body parts and gametes for reproduction in human beings
28 and other organisms. In human beings, there are exactly two sexes, male and female, with two corresponding

1 types of gametes. The sexes are determined by the biological and genetic indication of male or female,
2 including sex chromosomes, naturally occurring sex chromosomes, gonads, and nonambiguous internal and
3 external genitalia present at birth, without regard to an individual's psychological, behavioral, social, chosen, or
4 subjective experience of gender.

5 (13) "Sleeping quarters" means a room with one or more beds and in which more than one
6 individual is housed overnight.

7
8 **NEW SECTION. Section 3. Safety and privacy in covered entities.** (1) A covered entity shall
9 designate each multi-occupancy restroom, changing room, or sleeping quarters for the exclusive use of females
10 or males.

11 (2) A restroom, changing room, or sleeping quarters within a covered entity that is designated for
12 females or males may be used only by members of that sex. Except as provided in subsection (4), an individual
13 may not enter a restroom, changing room, or sleeping quarters that is designated for females or males unless
14 the individual is a member of the designated sex.

15 (3) A covered entity shall take reasonable steps to provide individuals with privacy from members
16 of the opposite sex in designated restrooms, changing rooms, and sleeping quarters.

17 (4) This section does not apply to an individual who enters a restroom, changing room, or sleeping
18 quarters designated for the opposite sex:

19 (a) to perform custodial services or maintenance;

20 (b) to render medical assistance;

21 (c) to render law enforcement assistance; or

22 (d) to provide services or render aid during a natural disaster or declared emergency or if
23 necessary to prevent a serious threat to good order and safety.

24 (5) (a) For any activity or event authorized by a public school during which students share sleeping
25 quarters, a student may not be required to share sleeping quarters with a member of the opposite sex unless
26 the other individual is a member of the student's family, such as a parent, guardian, sibling, or grandparent.

27 (b) In any other facility or setting in a public school where an individual may be in a state of
28 undress in the presence of others, school personnel shall provide separate, private areas designated for use by

1 individuals based on their sex. Except as provided in subsection (4), an individual may not enter a private area
2 unless the individual is a member of the designated sex.

3 (6) This section may not be construed to prohibit a covered entity from:

4 (a) adopting policies necessary to accommodate individuals protected under the Americans with
5 Disabilities Act of 1990 or young children or elderly persons in need of assistance;

6 (b) establishing single-occupancy restrooms, changing rooms, or sleeping quarters or family
7 restrooms, changing rooms, or sleeping quarters; or

8 (c) redesignating a multi-occupancy restroom, changing room, or sleeping quarters designated for
9 exclusive use by one sex to a designation for exclusive use by the opposite sex.

10

11 NEW SECTION. Section 4. Remedies. (1) An individual who, while accessing a restroom or
12 changing room designated for use by the individual's sex, encounters another individual of the opposite sex in
13 the restroom or changing room has a private cause of action for declaratory and injunctive relief, nominal
14 damages, and any other appropriate relief against the covered entity that:

15 (a) provided the other individual permission to use a restroom or changing room designated for the
16 opposite sex; or

17 (b) failed to take reasonable steps to prohibit the other individual from using the restroom or
18 changing room designated for the opposite sex.

19 (2) An individual who is required by a covered entity to share sleeping quarters with an individual
20 of the opposite sex has a private cause of action for declaratory and injunctive relief, nominal damages, and
21 any other appropriate relief against the covered entity.

22 (3) (a) All civil actions brought pursuant to this section must be initiated within 2 years after the
23 violation occurred.

24 (b) An individual aggrieved under this section who prevails in court may recover reasonable
25 attorney fees and costs from the offending covered entity.

26

27 NEW SECTION. Section 5. Codification instruction. [Sections 1 through 4] are intended to be
28 codified as a new part in Title 50, chapter 4, and the provisions of Title 50, chapter 4, apply to [sections 1

1 through 4].

2

3 NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are
4 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
5 the part remains in effect in all valid applications that are severable from the invalid applications.

6

7 NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval.

8

- END -