CALS Board of Directors Meeting

August 27, 2026, at 12:00pm
Hybrid Meeting: Main Library & Zoom Video Call

Board Members in attendance were Karama Neal, Luke Underwood, Madhav Shroff, Esperanza Massana-Crane, Alexis Sims, Dustin McDaniel, Ryan Davis, Ginann Swindle, Jennifer Jamison, David Finkbeiner, Denise Ennett, and Audrey Evans. Joyce Elliot was absent.

Staff in attendance were Nate Coulter, Ray Terry, Nathan Smith, Tameka Lee, Gonzalo Hernandez, Zach Roberson, Aalesha Cartner, Pam Estes, Loni Bean, Jo Spencer, Joyce Wesley, Brandin Gibbons, Kate Matthews, Eliza Borné, Leslie Blanchard, Ellen Samples, Carol Coffey, Glen Whaley, Hannah Saulters, Kaitlin Davidson, and Jessica Frazier-Emerson.

Others: Greg Moore from United Labor Unions, Joe Flaherty from the Arkansas Democrat Gazette, Tess Vrbin from Arkansas Advocate, Becca Kiser from Forvis Mazars, Adam Webb from the Garland County Library, and John Adams.

Action Items

1. Call to Order and Approval of July Minutes

Neal called the meeting to order and asked for a motion to approve the July 23, 2026, meeting minutes. Sims made a motion to approve the July 23, 2026, meeting minutes. Shroff seconded the motion. The motion to approve the July minutes was approved unanimously.

2. Approval of the July Financial Report

Underwood noted that ad valorum taxes are up about three percent, year-over-year, at $13,490,000. Total assets are approximately $121,000,000. General fund cash in reserves is approximately $11,200,000. Underwood added that everything is running on budget and CALS will receive its next influx of tax revenue in November.

Neal filed the July financials for audit.

3. 2025 Audit Report

Underwood reminded the Board that the Finance Committee met on August 19, 2026. The subject of that meeting was the 2025 audit report, conducted by Forvis Mazars. Forvis issued a "clean, unqualified opinion." Hearing no questions regarding the audit report, Neal filed the 2025 audit report.

4. Changes to Board Policy 400: Patrons Sleeping on Library Property

Neal introduced Wesley, who mentioned the current rule regarding patrons sleeping in the library. Wesley also noted the inconsistencies regarding how the rule is enforced. The current rule states: "Sleeping that impedes others from using the library or library resources is not permitted in the library." The new rule will read: "Sleeping in the library or on library grounds is not permitted, except in instances involving young children." Wesley added that this new rule leaves little ambiguity for staff and patrons.

Neal thanked Wesley for the presentation. Coulter introduced Roberson and Cartner from the Safety department and thanked them for their work on this. Sims asked if staff would need more Safety assistance, should this policy change take effect. Wesley answered that no, due to Roberson and the Safety team's soft approach to dealing with patrons.

Neal asked for a motion to approve the changes to Board Policy 400. Swindle made the motion to approve. Evans seconded the motion, and it passed unanimously.

5. Approve Edits to CALS Foundation Articles of Incorporation

Borné presented edits to the CALS Foundation's Articles of Incorporation (which must be approved by both the CALS Board and the CALS Foundation Board). Currently, the Articles, specifically regarding the appointment of Foundation Board members, are out of date. Currently, the Articles state: "The board of directors of Friends of the Central Arkansas Library System shall appoint one (1) member of the Board. The Board of Trustees of the Central Arkansas Library System (the

"CALS Board") shall appoint one-half (1/2) of the remaining members of the Board. The Director of the Central Arkansas Library System shall appoint one-half (1/2) of the remaining members of the Board." (The Articles are out of date because The Friends of CALS dissolved following a membership vote in December 2023, so the organization no longer exists.) The CALS Foundation Board has already voted to modify the appointment rules to outline that the CALS Board shall appoint one-third (1/3) of the members to the Foundation Board. The Director of CALS shall appoint two-thirds of the remaining members. In practice, none of the current CALS Foundation board members were appointed by the CALS Board, though Luke Underwood is currently serving on both the CALS Board and the CALS Foundation Board. Borné suggested retroactively appointing Luke Underwood as a CALS Board appointee and noted that the CALS Board will have two appointments in 2027. Coulter added that the Foundation has become stronger in the last several years. He noted that it can be challenging to recruit individuals to serve on the Foundation Board because the Board has a fundraising function, and Board members are expected to make annual donations.

Evans expressed reservations about the CALS Board losing appointments to the CALS Foundation Board and asked for clarity. Neal responded that yes, the CALS Board would lose some appointments; however, 2/3 of the CALS Foundation Board appointments would be made by the CALS Director, who is heavily involved in fundraising and reports to the CALS Board. Coulter added that it is important for the Library Director to be involved in the appointment of CALS Foundation Board members because the Director is involved in library fundraising (more so than the CALS Board members).

Neal asked for a motion to approve the changes in the CALS Foundation Articles of Incorporation. She reminded the CALS Board that the CALS Foundation Board has already approved the changes. Evans made a motion to approve. Sims seconded the motion, and it passed unanimously. Neal also asked for a motion to retroactively appoint Underwood as CALS Board appointee to the CALS Foundation Board. Shroff made the motion. It was seconded by Finkbeiner and passed unanimously. Neal reminded the group of the two appointments in 2027. Sims asked to receive the minimum requirements for CALS Foundation members,

so Board members can begin thinking about potential candidates. Shroff also asked for the current list of Foundation members.

Borné thanked everyone for the feedback and offered to meet with anyone to discuss fundraising. She added that she believes the CALS Foundation does a good job of supporting CALS initiatives and programming needs.

6. Changes to Board Policy 301: Reconsideration of Library Materials

Neal invited Blanchard to explain the changes to Board Policy 301, considering the 8th Circuit Court's recent ruling on Act 372. Blanchard reminded the Board that changes were made to the policy in 2023, after the legislation became law. Blanchard noted that the changes to the policy were in red on the handout provided to Board members. Finkbeiner asked if an appeal made anywhere in the system automatically goes to the Little Rock Board of Directors. Coulter answered that the yes, the challenges go to the jurisdiction that contributes the most tax revenue into the System. Ennett asked how long the committee has to decide on a challenge. Blanchard answered that the language specifies "in a reasonable amount of time." Matthews added that staff and administration quickly address challenges to materials. Ennett also asked when the five-day appeals clock starts. Blanchard answered that the appeals clock will start when the patron receives the decision. She added that the letter will arrive via certified mail. Davis noted that it would be in staff's interest to set a timeline, to set expectations for individuals challenging material. Ennett also asked if the five year, no-review rule applies to works in different formats. Matthews answered that yes, a book and movie would be considered separately, but a physical copy and digital copy of a book would not. Blanchard added that this is common throughout libraries across the country. Sims asked if anyone has reached out to the Little Rock City Clerk's office, to see how the process will work on their end. McDaniel added to Sims' question and asked if anyone at CALS communicates with anyone at the City Clerk's office. He added that these challenges could get lost in the Clerk's office without anyone at CALS knowing about the challenges. Matthews added that this would be addressed in the tracking system. Coulter noted that the first challenge will require communication between the two offices.

Sims asked if an item being challenged would remain in circulation during the appeals process. Blanchard stated that yes, the law allows the item to remain in circulation. Adams asked that, as a practical issue, would libraries need to purchase more copies to allow all members of a review committee to have the item? Sims stated that, if the libraries need more copies, it seems as if it would be easier to take the item out of circulation for staff to see the material. Sims added that, if a patron goes to the trouble of challenging a book and goes through the appeals process, how is it an inconvenience for staff to remove the item? Coulter answered that the library determines if the item should remain in the collection until a higher authority decides otherwise. He added that it would be inconsistent to remove the item if the library thinks it should remain in the collection.

Finkbeiner asked if an item would be removed from the entire CALS collection, or from a single library branch. Coulter answered that the item would be removed from the entire collection because CALS patrons have access to the entire system. Sims asked if patrons wanted to challenge an item in the system, who would need to speak with. Matthews answered that a patron challenging an item could meet with any branch manager in the CALS system.

McDaniel asked if staff would communicate how often CALS has received reconsideration requests, to know how much time the requests require. Coulter answered that yes, staff could communicate that to the Board, especially if requests increase staff time. Blanchard added that CALS has had three reconsideration requests in the last decade. McDaniel made a motion to adopt the amendments to Policy 301. Underwood seconded the motion and it passed unanimously.

Information Items

1. Eighth Circuit Court's Ruling on Act 372

Coulter introduced Adams to help explain and clarify some items in Act 372. Coulter added that CALS will obviously comply with the law, but it will be hard to know how to comply without clarity from the Eighth Circuit Court, or without knowing when the law will take effect.

- Adams reminded the Board that Sections 1 and 5 of Act 372 was challenged by CALS and the other plaintiffs. The Eighth Circuit Court determined that plaintiffs did not have standing to challenge Section 5, because it has yet to go into effect. Section 1 pertains to furnishing materials to minors. Adams stated that the Court did not clearly define what "furnish" means. Adams also stated that the Court insists that merely shelving materials is illegal, which is contrary to the State's position. Neal asked how CALS can comply with the law and support staff. Davis expressed concern that librarians cannot possibly know what every item in the collection contains. He suggested creating some sort of policy guardrails for staff. Neal asked about next steps and timelines. Adams stated that unfortunately, it would be hard to say what a judge and jury would determine what is harmful to a minor. He reminded everyone that it is already unlawful to provide obscene materials to minors. Currently, the plaintiffs are asking the Eighth Circuit for guidance on "shelving." Adams said that he does not know when the law will go into effect. He added that there is no appetite among the plaintiffs to appeal the decision, so plaintiffs want clarity from the Eighth Circuit.
- Coulter added that he hopes the Court will either give clarity or adopt the narrow interpretation of the Act by the State. Coulter asked Adams to explain the areas of concern he sees. The first are the self-check kiosks, which any patron can access. The second is hiring anyone under the age of eighteen. This could involve employees or volunteers. The third involves providing access to digital materials (via platforms like Libby or Hoopla), which are not regulated by CALS. Coulter reminded the Board about his affidavit in 2023, where he stated that the cost to CALS for complying with this law would be close to one million dollars.
- McDaniel asked if there is some sort of rating or age restriction on materials, similar to purchasing alcohol or seeing an R-rated movie. Matthews answered that yes, all materials are shelved in appropriate areas based on age. Coulter added that he would like the Board members to help in figuring out how to implement Act 372.

- Davis expressed concern about staff members' exposure to prosecution and speculated on how monitoring who can enter the adult fiction section at a library. He described preventing access to areas for patrons as a "nonstarter." Neal thanked everyone for the discussion and suggested that everyone think of solutions to these issues, particularly the issues Adams outlined. Sims added that the Board should also consider the advertising component of Act 372, particularly displays in children's sections. Sims added that she visited all branches in June 2023, after Act 372 became law, and noticed that some branches had Pride Month displays in children's sections. She acknowledged that each branch serves its own community and has its own "personality," but that branches should be mindful of the displays. She added that there are branches she will not take her children to in June. She added that this consideration should also be applied to children's books in the collection. Adams added that he has never seen anything sexually explicit in a children's section of a library, but there are items in the collection that are controversial and that individuals would object to on moral grounds. Sims expressed concerns about having certain books in the children's sections that may not be sexually explicit legally, but those items could create a vulnerability for staff.
- McDaniel added that he would like to focus on the objective criteria for childrens, teens, and adult items and how those items are sorted. He added that he would also like to know what steps could be taken to segregate those items, and what improvements CALS could make to comply with the law.

2. Director's Report

- Coulter confirmed that his last day at CALS will be October 30th and expressed his confidence that the Board will find an interim director until a new director is hired. Neal added that she is happy to work with Coulter and the Board to consider an interim director.

- Bean asked to be recognized by the Board to read a prepared statement. Bean thanked the Board for considering how to comply with the Act. She argued that the chances of a CALS employee being prosecuted are high. She asked that, due to Nate's departure, would the CALS Board reaffirm and commit to Nate's stance to provide and fund legal counsel for any employee charged under Act 372. Neal thanked Bean for her statement. Evans added that she has never considered the idea that CALS would not support any employee impacted by Act 372. Neal clarified that the need for this comes from Coulter's departure and that staff would feel better if leadership committed to this position.

3. Move to Adjourn

Neal asked for a motion to adjourn. Jamison made the motion. It was seconded by Shroff and passed unanimously. With no further business, the meeting adjourned at 2:00 p.m.