

Salt Lake City Public Library Resource Selection Policy 2013

TABLE OF CONTENTS

INTRODUCTION	2
I. MISSION STATEMENT	3
II. THE COMMUNITY.....	3
III. AIMS AND OBJECTIVES.....	3
IV. RESPONSIBILITY.....	4
V. THE LIBRARY BILL OF RIGHTS AND FREEDOM OF ACCESS	4
VI. RESOURCE SELECTION: GENERAL CRITERIA.....	5
VII. RESOURCES FOR ADULTS	6
VIII. RESOURCES FOR TEENS AND YOUNG ADULTS	6
IX. RESOURCES FOR CHILDREN	7
X. ONLINE RESOURCES.....	7
XI. GIFTS	8
XII. PROGRAMS, ART EXHIBITS, AND DISPLAYS	8
XIII. REPLACEMENTS	9
XIV. WITHDRAWAL OF RESOURCES	9
APPENDIX A: STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES	10
APPENDIX A (FORM): STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES.....	11
APPENDIX B (FORM): SALT LAKE CITY PUBLIC LIBRARY PATRON SUGGESTION FOR PURCHASE	12
APPENDIX C (FORM): MATERIAL DONATION FORM.....	13
APPENDIX D: THE FREEDOM TO READ	14
APPENDIX E: FREEDOM TO VIEW	18
APPENDIX F: LIBRARY BILL OF RIGHTS.....	19
APPENDIX F (SPANISH TRANSLATION): DECLARACIÓN DE LOS DERECHOS DE LAS BIBLIOTECAS.....	20
APPENDIX F1: ACCESS FOR CHILDREN AND YOUNG ADULTS TO NONPRINT MATERIALS	21
APPENDIX F2: ACCESS TO ELECTRONIC INFORMATION, SERVICES, AND NETWORKS	23
APPENDIX F3: ACCESS TO LIBRARY RESOURCES AND SERVICES REGARDLESS OF SEX, GENDER IDENTITY, GENDER EXPRESSION, OR SEXUAL ORIENTATION	27
APPENDIX F4: CHALLENGED MATERIALS.....	29
APPENDIX F5: DIVERSITY IN COLLECTION DEVELOPMENT.....	30
APPENDIX F6: ECONOMIC BARRIERS TO INFORMATION ACCESS	32
APPENDIX F7: EVALUATING LIBRARY COLLECTIONS	35
APPENDIX F8: EXHIBIT SPACES AND BULLETIN BOARDS	36
APPENDIX F9: EXPURGATION OF LIBRARY MATERIALS.....	38
APPENDIX F10: FREE ACCESS TO LIBRARIES FOR MINORS	39
APPENDIX F11: LABELS AND RATING SYSTEMS.....	41
APPENDIX F12: LIBRARY-INITIATED PROGRAMS AS A RESOURCE.....	43
APPENDIX F13: PRIVACY.....	45
APPENDIX F14: RESTRICTED ACCESS TO LIBRARY MATERIALS	49
APPENDIX F15: THE UNIVERSAL RIGHT TO FREE EXPRESSION	51

INTRODUCTION

The eleventh edition of the Resource Selection Policy of the Salt Lake City Public Library was approved by the Library Board of Directors on January 28, 2013.

The Board has directed that the Resource Selection Policy be reviewed regularly. Any person who wishes to make comments on this policy should submit them in writing to the Library Administration.

Selection decisions are made by the staff based on policies formally adopted by the Salt Lake City Library Board of Directors. The context and philosophical basis for these selection policies is based in part on statements of ethical positions adopted by the American Library Association in support of intellectual freedom and the freedom to read. Relevant statements from ALA are appended to this document to provide context for the locally adopted Resource Selection Policy. The Board approved the removal of forms for Appendices A, B, and D, though they remain a part of the document.

Library staff are encouraged to address concerns expressed by patrons by providing the Resource Selection Policy in its entirety. This includes the form "Statement of Concern about Library Resources" in Appendix A to aid patrons in expressing their concerns over library resources in writing to the Salt Lake City Public Library.

I. MISSION STATEMENT

The City Library is a dynamic civic resource that promotes free and open access to information, materials, and services to all members of the community to advance knowledge, foster creativity, encourage the exchange of ideas, build community, and enhance the quality of life.

II. THE COMMUNITY

The City Library is supported by, and recognizes as its primary clientele, the residents of Salt Lake City, Utah. The residents of Salt Lake City represent a diversity of age, background, religion, ethnicity, culture, education, socioeconomic level, and lifestyle.

In order to most effectively meet the needs and interests of its patrons, the Library gathers and analyzes information about the community. The results of this research provide the Library with information about the diverse groups within the City so that their needs and interests may be considered when selecting resources. In addition, knowledge of other readily available sources of information within the community enables the Library to most effectively use its limited resources by avoiding unnecessary duplication.

A reciprocal borrowing agreement with the Salt Lake County Public Library and Murray Library systems lets us also consider the needs of County residents using the City Library System.

The City Library welcomes suggestions from the public regarding its collections (SEE [Appendix B, Salt Lake City Public Library Patron Suggestion for Purchase](#)). Purchase suggestion forms are available on the Library's website.

III. AIMS AND OBJECTIVES

In support of the City Library's mission, resources are selected in a range of formats and organized for browsing, open access, on-site reference use, and circulation. The staff provides reference and reader's advisory services, programs, exhibits, displays, and publications to assist patrons in locating and using information.

Library resources are selected to:

- Ensure the right of all library patrons to evaluate for themselves a broad range of ideas and concepts in appropriate formats and reading, viewing, and listening levels.
- Provide the information patrons need to facilitate participation in the democratic process.
- Enhance personal and professional lives, develop personal interests, and support lifelong learning.
- Encourage reading, listening, and viewing as leisure activities.

IV. RESPONSIBILITY

Direct selection of library materials for the system is delegated to staff members qualified for this duty. Managers are responsible for the resources in their departmental collections. The final responsibility for all selected resources rests with the Library Director who operates within the framework of policies adopted by the Salt Lake City Public Library Board of Directors.

V. THE LIBRARY BILL OF RIGHTS AND FREEDOM OF ACCESS

Freedom of communication is vital to preserving an open society. Accordingly, the City Library Resource Selection Policy mandates the choosing of library resources based on the values of interest, information, and enlightenment for all the people of the community – no resource shall be excluded because of the race, nationality, gender, sexual orientation, age, or the social, political, or religious views of the authors. The Library will consider patron concerns or objections to resources in its collections only when submitted in writing and on the approved form (SEE [Appendix A, Statement of Concern about Library Resources](#)). However, the City Library declares as a matter of policy that no challenged resource which conforms to this Resource Selection Policy shall be removed from the Library except by order of a court of competent jurisdiction. To ensure the right of the citizens of Salt Lake City to have access to a broad range of ideas and concepts, the City Library's Board of Directors endorses the American Library Association's [Library Bill of Rights](#), The Freedom to Read Statement, and Freedom to View Statement except where superseded by specific library policies and procedures (SEE [Appendix D, The Freedom to Read Statement](#); [Appendix E, Freedom to View Statement](#); and [Appendix F, Library Bill of Rights](#)).

The following statements and their interpretations are incorporated as a part of this policy and are extended for the purpose of this policy to include all resources in any format. Copies of these interpretations are included in [Appendix F](#):

- Library Bill of Rights and Its Interpretations
- Access for Children and Young Adults to Nonprint Materials
- Access to Electronic information, Services, and Networks
- Access to Library Resources and Services Regardless of Sex, Gender Identity, or Sexual Orientation
- Challenged Materials
- Diversity in Collection Development
- Economic Barriers to Information Access
- Evaluating Library Collections
- Exhibit Spaces and Bulletin Boards
- Expurgation of Library Materials
- Free Access to Libraries for Minors
- Labels and Rating Systems
- Library-initiated Programs as a Resource
- Privacy
- Restricted Access to Library Materials

- The Universal Right to Free Expression

VI. *RESOURCE SELECTION: GENERAL CRITERIA*

The City Library is responsible for providing materials to residents and taxpayers of all ages, backgrounds, and opinions. The library collection taken as a whole will be an unbiased and diverse source of information, representing as many viewpoints as possible. Subjects will be covered in sufficient depth and breadth to meet anticipated and expressed individual and community needs. No resource shall be excluded because of the race, nationality, gender, sexual orientation, age, or the social, political, or religious views of the authors. In support of these principles, the City Library offers a collection of materials that is diverse, inclusive, and protected by the First Amendment of the United States Constitution.

Selection of library resources is a complex process which takes into consideration a number of factors. These factors include the role of the department in the Library System and the availability of major information resources within the community or through information networks. Exceptions to the criteria may be made in order to represent significant points of view otherwise unrepresented in the collection.

The following criteria provide the general framework within which selection takes place:

- Resources are selected to meet the informational, educational, and recreational needs of patrons.
- Resources that are selected receive acceptable reviews in recognized review media or are favorably reviewed by a qualified library staff member.
- When reviews and/or review copies of resources are unavailable, the decision to acquire resources is based upon other information such as interviews, author interest and reputation, media coverage, patron demand or expectations, and the judgment of a qualified staff member.
 - The Salt Lake City Public Library does not acquire self-published materials, including print-on-demand titles available through mainstream distributors. Any donated materials are treated as gifts.
- Resources are selected to contribute to the balance and variety of the library collection as a whole in order to provide the greatest number of options to library patrons.
- Resources are evaluated with regard to artistic worth, originality of work, suitability of format, comprehension by the intended age level, and contribution to the total collection.
- Nonfiction resources are evaluated with regard to authority, authenticity, accuracy and timeliness, logical and clear presentation of ideas, and local or historical importance.
- Resources are selected to meet the needs and interests of the general public. The City Library does not seek to duplicate research or special collections which are readily available to the public in fields such as law (Supreme Court Law Library), genealogy (LDS Family History Library), government documents (University of Utah), nor does it attempt to meet the textbook needs of students.

- Resources are selected in various formats to meet the needs of library patrons. Electronic resources, audiovisual materials, magazines, newspapers, alternative press materials, graphic novels, pamphlets, maps, and art prints are examples of resources which present information in ways other than the traditional book format.
- Resources are selected in various languages to meet the needs and interests of an increasingly diverse population and to provide materials that meet the needs of those who are studying languages.
- Resources are selected within the constraints imposed by availability, space, budget, and format limitations. Resources which meet the selection criteria may be considered for acquisition by all appropriate departments of the Library, although the Library is not obligated to acquire all such items.

VII. RESOURCES FOR ADULTS

A. Nonfiction Resources

The City Library acquires nonfiction resources in compliance with the general criteria of this policy. The Library also recognizes its responsibility to make available informational and educational resources of interest and importance to the community in reading, listening, and viewing levels appropriate for adults. A resource representing a single view of an issue will be considered for inclusion in the collection if it contributes to an understanding of the issue as a whole.

B. Fiction Resources

The City Library acquires fiction resources in compliance with the general criteria of this policy. When reviews are unavailable for titles, the reputations of authors, series, publishers, performers, and directors are considered. Much contemporary fictional work deals graphically with all aspects of life. Resources which contain potentially controversial passages or scenes are examined as a whole because the significance of an entire work often transcends isolated words, phrases, incidents, or scenes.

C. Music Resources

The City Library acquires music performances in a range of styles and genres to meet a broad range of interests in the community. Music resources are acquired using the general guidelines of this policy. When reviews are unavailable, interest in and reputations of composers, musicians, and performers are considered. Musical works which contain potentially controversial words, passages, or lyrics are examined as a whole because the significance of an entire work often transcends isolated parts.

VIII. RESOURCES FOR TEENS AND YOUNG ADULTS

A. General Principles

Resources selected for teens and young adults must meet the same selection criteria as all other library resources. Teen and young adult resources are selected to meet the informational, educational, cultural, and recreational needs of older children, generally defined as 13- to 18-year-olds. In selecting resources for teens and young adults,

consideration is given to information, incidents, and characterizations that reflect the adolescent experience and to highlight topics of interest and concern. Much contemporary teen and young adult material deals frankly with current social issues and may include controversial language. The value and impact of such material is examined as a whole because the significance of an entire work often transcends isolated words, phrases, or incidents.

B. Parent/Guardian Responsibility

The City Library's Board of Directors recognizes what may be acceptable material to one parent/guardian may not be acceptable to another and endorses a policy which holds that the parent or legal guardian is the only person who may restrict his/her child's access to library resources.

IX. RESOURCES FOR CHILDREN

A. General Principles

Resources selected for children must meet the same selection criteria as all other library resources. Children's resources are selected to meet the informational, educational, cultural, and recreational needs of children, generally defined as newborns to 12-year olds. In selecting materials for children, consideration is given to originality, accuracy and timeliness, imagination, graphic design, vocabulary, content, and format to the age of the reader.

B. Parent/Guardian Responsibility

The City Library's Board of Directors recognizes what may be acceptable material to one parent/guardian may not be acceptable to another and endorses a policy which holds that the parent or legal guardian is the only person who may restrict his/her child's access to library resources.

X. ONLINE RESOURCES

The Internet and licensed/purchased online resources offered by the City Library provide access to a wide variety of information from around the country and the world, much of which supports education, research, government, business, community development, and recreation. Licensed or purchased online resources are selected for the relevancy of content to informational and research interests of library users; the accuracy, integrity, and currency of data; the scope of subject coverage; continued access to archival back files; and the reputation of the information supplier. Licensed or purchased online resources are evaluated for their ease of use, search capabilities, ease of connection, system compatibility, frequency of updates, and the configuration of user licenses. All online resources must meet accepted technical standards and best practices for operation and equipment usage. Additional factors for evaluation include whether the online resource is unique, a duplication, or a supplement to an existing source and whether the resource will be utilized by the entire system or limited to a single department or location. (See also SLCPL Policy Manual, REF11: Internet Access Policy.)

XI. GIFTS

The Library welcomes gifts of material or funds to purchase resources. Gifts added to the collection must meet the same selection criteria as purchased resources. Upon receipt, all such material or funds become the property of the City Library. Gift resources may be added to the collection, sold, exchanged, given to other organizations, or discarded. Gift resources are integrated into the Library's collection in normal shelving sequence. The Library does not provide separate shelving and/or special collections for gift items.

Authors and audio/visual artists may donate their items to the Library. For these donated items to be considered for inclusion in the collection, they must meet the same selection criteria as purchased resources.

Memorial gifts are accepted using the same criteria for selection as for purchased material. Gifts of money are accepted to purchase memorial resources which meet selection criteria. Such gifts are acknowledged, and a memorial plate is added to the resource (SEE [Appendix C, Material Donation Form](#)).

XII. PROGRAMS, ART EXHIBITS, AND DISPLAYS

Programs, art exhibits, and displays are provided for all library patrons and are acknowledged as important sources of information, ideas, and inspiration which promote and extend the collections, services, goals, and mission of the Library.

PROGRAMS

The City Library provides a variety of activities for children, young adults, and adults such as book discussions, art displays, author visits, lectures, community conversations, workshops, summer reading programs, storytimes, poetry readings, musical concerts, etc., which meet the Library's goals and objectives. These are referred to collectively as programs.

ART EXHIBITS

A System Art Review Committee and Departmental Selection Committees oversee and select art exhibits for the Library. The committees consider the selection of exhibits in terms of:

- Artistic merit of the works.
- Suitability of format to the Library's physical limitations.
- Relevance of the work to the community as a whole.
- Effective use of the medium and its appropriateness to the content of the work.
- Insight into the human and social condition.
- Importance as a document of the times.
- Reputation and/or significance of the artist, as documented by art professionals and the public.
- Representation of a movement, genre, trend, or ethnic heritage identity.
- Particular relevance of work or artist to a given branch location or service area.

- Compliance with all federal, state, and local laws including those pertaining to libel, copyright, and pornography.

DISPLAYS

The City Library maintains complete control over the content of special area displays as an extension of library resources and services. Managers and assigned staff members may invite individuals or organizations to display materials in order to enhance a library program or library materials. Items for display highlight or stimulate the use of library resources, relate to or complement a library exhibit or program, are of cultural, historical or educational significance, are of notable interest to the community, or relate to other significant events in the community.

XIII. REPLACEMENTS

Resources withdrawn for reasons of loss, damage, or wear are not automatically replaced. Consideration for replacement includes availability, circulation records, inclusion in standard bibliographies, currency, continued value to the collection, and budget and space limitations.

XIV. WITHDRAWAL OF RESOURCES

The City Library maintains an active policy of withdrawing outdated resources, those no longer of interest or in demand, duplicates, worn or mutilated copies, and resources which no longer contribute to the total collection. Withdrawal of library materials is vested in the Library Director who authorizes qualified staff to perform this process. It is a necessary means to maintain collection vitality, size, and scope. It is not intended to sanction removal of library materials based upon controversy.

Because library resources are purchased with public monies, none may be given to an individual even though it is marked for withdrawal. Withdrawn resources may be sold, exchanged, or given to another nonprofit organization at the discretion of the Library Director.

APPENDIX A: STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Salt Lake City Public Library wishes to thank you for your interest in the Library and its resources. In order for the Library to address your concern, it must be made in writing. The "Statement of Concern about Library Resources" form is enclosed.

The Library's procedure for responding to concerns expressed by Salt Lake City Public Library cardholders is as follows:

- If the collections manager and the selector for the area in which the item resides determine that the item in question does not warrant a formal review process, you will receive a letter explaining why the item will be retained.
- If the collections manager and selector determine that the item warrants a review, a staff committee will be created to review the item and you will be notified that a review process has begun.
- The Library takes very seriously all concerns expressed by patrons and attempts to respond as quickly as possible. To ensure that your concern is given careful consideration, the review process may take as long as six weeks.
- While your concern is under review, there will be no change in the status of resource in question.
- The Library Director or Associate Director will contact you upon the completion of the review process.

The patron expressing a concern about library resources has the right to appeal any administrative decision to the Board of Directors within two weeks of completion of the staff review.

APPENDIX A (FORM): STATEMENT OF CONCERN ABOUT LIBRARY RESOURCES

The Salt Lake City Public Library wishes to thank you for your interest in the Library and its resources. The Library takes very seriously all concerns expressed by patrons and attempts to respond as quickly as possible. To ensure that your concern is given careful consideration, the review process may take as long as six weeks. Before submitting your statement, please read our Resource Selection Policy. You may find it online at www.slcppl.org or you may obtain a paper copy from any City Library staff member.

Return form to: Director, Salt Lake City Public Library, 210 East 400 South, Salt Lake City, Utah 84111

DATE: _____ TELEPHONE: _____

YOUR NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

EMAIL ADDRESS: _____

TYPE OF RESOURCE ON WHICH YOU ARE COMMENTING:

- BOOK ELECTRONIC RESOURCE LIBRARY PROGRAM MAGAZINE
 NEWSPAPER SOUND RECORDING VIDEO/DVD OTHER

TITLE: _____

AUTHOR: _____

PLEASE EXPLAIN YOUR CONCERN AS SPECIFICALLY AS POSSIBLE (attach additional sheets if necessary):

**APPENDIX B (FORM): SALT LAKE CITY PUBLIC LIBRARY PATRON
SUGGESTION FOR PURCHASE**

DATE: _____ STAFF NAME: _____ DEPT: _____
(No initials, please)

**TO MAKE A PURCHASE SUGGESTION, PATRON MUST HAVE A LIBRARY CARD
THAT IS REGISTERED WITH THE SALT LAKE CITY PUBLIC LIBRARY SYSTEM**

PATRON'S NAME: _____

LIBRARY CARD NUMBER: _____

PICK-UP LOCATION: MAIN CHAPMAN FOOTHILL RIVERSIDE SPRAGUE SWEET

AUTHOR: _____

TITLE: _____

BOOK CD DVD MAGAZINE DOWNLOADABLE OTHER: _____

ADDITIONAL INFORMATION THAT WOULD HELP US LOCATE THE CORRECT ITEM:

If the item is added to the collection, it will be placed on hold for you. The Library accepts suggestions for items that have already been released and are not found in the Library catalog. Patrons may make five purchase suggestions per month. You will not be contacted if we do not add the suggested item to the collection.

APPENDIX C (FORM): MATERIAL DONATION FORM

Thank you for your generous donation of materials to the Salt Lake City Public Library!

From the Resource Selection Policy, 2012, Section XI, GIFTS:

The Library welcomes gifts of material or funds to purchase resources. Gifts added to the collection must meet the same selection criteria as purchased resources. Upon receipt, all such material or funds become the property of the City Library. Gift resources may be added to the collection, sold, exchanged, given to other organizations, or discarded. Gift resources are integrated into the Library's collection in normal shelving sequence. The Library does not provide separate shelving and/or special collections for gift items. Authors and audio/visual artists may donate their items to the Library. For these donated items to be considered for inclusion in the collection, they must meet the same selection criteria as purchased resources. Memorial gifts are accepted using the same criteria for selection as for purchased material. Gifts of money are accepted to purchase memorial resources which meet selection criteria. Such gifts are acknowledged, and a memorial plate is added to the resource (SEE Appendix D, Material Donation Form).

.....
Material Donated By

NAME: _____

STREET ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE, EMAIL: _____

DONOR REPRESENTS: SELF ORG/GROUP Org/Group Name: _____

REASON FOR DONATION: _____

ACKNOWLEDGEMENT FOR TAX PURPOSES? YES NO *The library's valuation is limited to quantity of gift only.*

GENERAL DESCRIPTION OF ITEMS (FORMAT, NUMBER, ETC.):

.....
For Library Use Only

STAFF MEMBER'S NAME: _____

DATE OF DONATION: _____

FORWARD FORM TO BROWSING LIBRARY _____

ACKNOWLEDGEMENT SENT INITIALS: _____ DATE: _____

APPENDIX D: THE FREEDOM TO READ

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that

publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by:

American Library Association
Association of American Publishers

Subsequently endorsed by:

American Booksellers Foundation for Free Expression
The Association of American University Presses, Inc.
The Children's Book Council
Freedom to Read Foundation
National Association of College Stores
National Coalition Against Censorship
National Council of Teachers of English
The Thomas Jefferson Center for the Protection of Free Expression

APPENDIX E: FREEDOM TO VIEW

The FREEDOM TO VIEW, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council.

APPENDIX F: LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.

Amended February 2, 1961; June 28, 1967; and January 23, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

APPENDIX F (SPANISH TRANSLATION): DECLARACIÓN DE LOS DERECHOS DE LAS BIBLIOTECAS

La Asociación de Bibliotecas de los Estados Unidos (American Library Association) afirma que todas las bibliotecas son foros abiertos para la información y las ideas, y que las siguientes normas básicas deben dirigir sus servicios.

- I. Con el fin de satisfacer el interés de sus usuarios y darles acceso a todo tipo de información, toda biblioteca debe poner sus libros y otros recursos a la disposición de todos los integrantes de la comunidad a la cual sirve.
- II. Toda biblioteca debe proveer información y materiales que representen todos los puntos de vista sobre temas históricos y de actualidad. Ningún material debe ser prohibido ni retirado de circulación por motivos doctrinarios o partidistas.
- III. En su misión de proveer información sin restricciones, toda biblioteca debe enfrentarse a todo acto y tipo de censura.
- IV. Toda biblioteca debe cooperar con todos los individuos y grupos interesados en oponerse a cualquier restricción a la libre expresión y el libre acceso a las ideas.
- V. No se le debe negar a ninguna persona el derecho de usar la biblioteca por motivos de origen, edad, antecedentes personales o punto de vista.
- VI. Toda biblioteca que cuente con espacio disponible para exhibiciones o reuniones públicas, debe ofrecerlo en forma equitativa, sin tener en cuenta la creencia o afiliación de los individuos o grupos que soliciten su uso.

Adoptado el 18 de junio de 1948, por el Consejo de la Asociación de Bibliotecas de los Estados Unidos.

Enmendado el 2 de febrero de 1961; enmendado el 28 de junio de 1967; enmendado el 23 de enero de 1980; inclusión de "edad" reafirmado el 24 de enero de 1996.

APPENDIX F1: ACCESS FOR CHILDREN AND YOUNG ADULTS TO NONPRINT MATERIALS

An Interpretation of the Library Bill of Rights

Library collections of nonprint materials raise a number of intellectual freedom issues, especially regarding minors. Article V of the *Library Bill of Rights* states, “A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.”

The American Library Association’s principles protect minors’ access to sound, images, data, games, software, and other content in all formats such as tapes, CDs, DVDs, music CDs, computer games, software, databases, and other emerging technologies. ALA’s *Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights* states:

...The “right to use a library” includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

...[P]arents—and only parents—have the right and responsibility to restrict access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

Policies that set minimum age limits for access to any nonprint materials or information technology, with or without parental permission, abridge library use for minors. Age limits based on the cost of the materials are also unacceptable. Librarians, when dealing with minors, should apply the same standards to circulation of nonprint materials as are applied to books and other print materials except when directly and specifically prohibited by law.

Recognizing that librarians cannot act *in loco parentis*, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children’s reading and viewing. Libraries should provide published reviews and/or reference works that contain information about the content, subject matter, and recommended audiences for nonprint materials. These

resources will assist parents in guiding their children without implicating the library in censorship.

In some cases, commercial content ratings, such as the Motion Picture Association of America (MPAA) movie ratings, might appear on the packaging or promotional materials provided by producers or distributors. However, marking out or removing this information from materials or packaging constitutes expurgation or censorship.

MPAA movie ratings, Entertainment Software Rating Board (ESRB) game ratings, and other rating services are private advisory codes and have no legal standing (*Expurgation of Library Materials*). For the library to add ratings to nonprint materials if they are not already there is unacceptable. It is also unacceptable to post a list of such ratings with a collection or to use them in circulation policies or other procedures. These uses constitute labeling, “an attempt to prejudice attitudes” (*Labels and Rating Systems*), and are forms of censorship. The application of locally generated ratings schemes intended to provide content warnings to library users is also inconsistent with the [Library Bill of Rights](#).

The interests of young people, like those of adults, are not limited by subject, theme, or level of sophistication. Librarians have a responsibility to ensure young people’s access to materials and services that reflect diversity of content and format sufficient to meet their needs.

Adopted June 28, 1989. Amended June 30, 2004, by the ALA Council.

APPENDIX F2: ACCESS TO ELECTRONIC INFORMATION, SERVICES, AND NETWORKS

An Interpretation of the Library Bill Of Rights

Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.¹ Libraries and librarians protect and promote these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

The American Library Association expresses these basic principles of librarianship in its *Code of Ethics* and in the *Library Bill of Rights* and its Interpretations. These serve to guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to electronic information, services, and networks.

Libraries empower users by providing access to the broadest range of information. Electronic resources, including information available via the Internet, allow libraries to fulfill this responsibility better than ever before.

Issues arising from digital generation, distribution, and retrieval of information need to be approached and regularly reviewed from a context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are not swept away.

Electronic information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it. Even so, many people lack access or capability to use electronic information effectively.

In making decisions about how to offer access to electronic information, each library should consider its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures, or regulations relating to electronic information and services should be scrutinized for potential violation of user rights.

User policies should be developed according to the policies and guidelines established by the American Library Association, including *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities*.

Users' access should not be restricted or denied for expressing or receiving constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved or utilized electronically is constitutionally protected unless determined otherwise by a court of law with appropriate jurisdiction. These rights extend to minors as well as adults (*Free Access to Libraries for Minors; Access to Resources and Services in the School Library Media Program; Access for Children and Young People to Videotapes and Other Nonprint Formats*).²

Libraries should use technology to enhance, not deny, access to information. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with *Privacy: An Interpretation of the Library Bill of Rights*.

Equity of Access

The Internet provides expanding opportunities for everyone to participate in the information society, but too many individuals face serious barriers to access. Libraries play a critical role in bridging information access gaps for these individuals. Libraries also ensure that the public can find content of interest and learn the necessary skills to use information successfully.

Electronic information, services, and networks provided directly or indirectly by the library should be equally, readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive their major support from public funds (50.3 *Free Access to Information*; 53.1.14 *Economic Barriers to Information Access*; 60.1.1 *Minority Concerns Policy Objectives*; 61.1 *Library Services for the Poor Policy Objectives*). All libraries should develop policies concerning access to electronic information that are consistent with ALA's policy statements, including *Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights*, *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities*, and *Resolution on Access to the Use of Libraries and Information by Individuals with Physical or Mental Impairment*.

Information Resources and Access

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Determining the accuracy or authenticity of electronic information may present special problems. Some information accessed electronically may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate. Parents and legal guardians who are concerned about their children's use of electronic resources should provide guidance to their own children.

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained electronically. Libraries have an obligation to provide access to government information available in electronic format.

Libraries and librarians should not deny or limit access to electronic information because of its allegedly controversial content or because of the librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to electronic information solely on the grounds that it is perceived to lack value.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the *Library Bill of Rights (ALA Policy Manual, 53.1.17, Resolution on the Use of Filtering Software in Libraries)*. If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.³

Electronic resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to electronic resources no less than they do to the more traditional sources of information in libraries (*Diversity in Collection Development*).

¹*Martin v. Struthers*, 319 U.S. 141 (1943); *Lamont v. Postmaster General*, 381 U.S. 301 (1965); Susan Nevelow Mart, *The Right to Receive Information*, 95 Law Library Journal 2 (2003).

²*Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969); *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, (1982); *American*

Amusement Machine Association v. Teri Kendrick, 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

³“If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user’s election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as-applied challenge, not the facial challenge made in this case.” *United States, et al. v. American Library Association*, 539 U.S. 194 (2003) (Justice Kennedy, concurring).

See also: *Questions and Answers on Access to Electronic Information, Services and Networks: An Interpretation of the Library Bill of Rights*.

Adopted January 24, 1996; amended January 19, 2005, by the ALA Council.

APPENDIX F3: ACCESS TO LIBRARY RESOURCES AND SERVICES REGARDLESS OF SEX, GENDER IDENTITY, GENDER EXPRESSION, OR SEXUAL ORIENTATION

An Interpretation of the Library Bill of Rights

American libraries exist and function within the context of a body of laws derived from the United States Constitution and the First Amendment. The *Library Bill of Rights* embodies the basic policies that guide libraries in the provision of services, materials, and programs.

In the preamble to its Library Bill of Rights, the American Library Association affirms that *all* [emphasis added] libraries are forums for information and ideas. This concept of *forum* and its accompanying principle of *inclusiveness* pervade all six Articles of the *Library Bill of Rights*.

The American Library Association stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, gender expression, or sexual orientation:

- Article I of the *Library Bill of Rights* states that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." The Association affirms that books and other materials coming from gay, lesbian, bisexual, and/or transgendered presses, gay, lesbian, bisexual and/or transgendered authors or other creators, and materials regardless of format or services dealing with gay, lesbian, bisexual and/or transgendered life are protected by the *Library Bill of Rights*. Librarians are obligated by the *Library Bill of Rights* to endeavor to select materials without regard to the sex, gender identity, or sexual orientation of their creators by using the criteria identified in their written, approved selection policies (ALA policy 53.1.5).
- Article II maintains that "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Library services, materials, and programs representing diverse points of view on sex, gender identity, gender expression, or sexual orientation should be considered for purchase and inclusion in library collections and programs. (ALA policies 53.1.1, 53.1.9, and 53.1.11). The Association affirms that attempts to proscribe or remove materials dealing with gay, lesbian, bisexual, and/or transgendered life without regard to the written, approved selection policy violate this tenet and constitute censorship.
- Articles III and IV mandate that libraries "challenge censorship" and cooperate with those "resisting abridgement of free expression and free access to ideas."
- Article V holds that "A person's right to use a library should not be denied or abridged because of origin, age, background or views." In the *Library Bill of Rights* and all its Interpretations, it is intended that: "origin" encompasses all the characteristics of

individuals that are inherent in the circumstances of their birth; "age" encompasses all the characteristics of individuals that are inherent in their levels of development and maturity; "background" encompasses all the characteristics of individuals that are a result of their life experiences; and "views" encompasses all the opinions and beliefs held and expressed by individuals. Therefore, Article V of the *Library Bill of Rights* mandates that library services, materials, and programs be available to all members of the community the library serves, without regard to sex, gender identity, gender expression, or sexual orientation. This includes providing youth with comprehensive sex education literature (ALA Policy 52.5.2).

- Article VI maintains that "Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use." This protection extends to all groups and members of the community the library serves, without regard to sex, gender identity, gender expression, or sexual orientation.

The American Library Association holds that any attempt, be it legal or extra-legal, to regulate or suppress library services, materials, or programs must be resisted in order that protected expression is not abridged. Librarians have a professional obligation to ensure that all library users have free and equal access to the entire range of library services, materials, and programs. Therefore, the Association strongly opposes any effort to limit access to information and ideas. The Association also encourages librarians to proactively support the First Amendment rights of all library users, regardless of sex, gender identity, gender expression, or sexual orientation.

Adopted June 30, 1993, by the ALA Council; amended July 12, 2000, June 30, 2004, July 2, 2008.

APPENDIX F4: CHALLENGED MATERIALS

An Interpretation of the Library Bill of Rights

Libraries: An American Value states, “We protect the rights of individuals to express their opinions about library resources and services.” The American Library Association declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined written policy for collection development that includes a procedure for review of challenged materials. Selection of online resources, including Web sites, should also be governed by this collection development policy and be subject to the same procedures for review of challenged materials. This policy reflects the *Library Bill of Rights* and is approved by the appropriate governing authority.

Challenged materials should remain in the collection during the review process. The *Library Bill of Rights* states in Article I that “Materials should not be excluded because of the origin, background, or views of those contributing to their creation,” and in Article II, that “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” Freedom of expression is protected by the Constitution of the United States, but constitutionally protected expression is often separated from unprotected expression only by a dim and uncertain line. The Supreme Court has held that the Constitution requires a procedure designed to examine critically all challenged expression before it can be suppressed.¹ A hearing is a part of this procedure. Materials that meet the criteria for selection and inclusion within the collection should not be removed.

Therefore, any attempt, be it legal or extra-legal,* to regulate or suppress materials in libraries must be closely scrutinized to the end that protected expression is not abridged.

Adopted June 25, 1971; amended July 1, 1981; amended January 10, 1990; January 28, 2009, by the ALA Council.

* “Extra-legal” refers to actions that are not regulated or sanctioned by law. These can include attempts to remove or suppress materials by library staff and library board members that circumvent the library's collection development policy, or actions taken by elected officials or library board members outside the established legal process for making legislative or board decisions. “Legal process” includes challenges to library materials initiated and conducted pursuant to the library's collection development policy, actions taken by legislative bodies or library boards during official sessions or meetings, or litigation undertaken in courts of law with jurisdiction over the library and the library's governing body.

¹ Bantam Books, Inc. v. Sullivan, 372 U.S. 58 (1963)

APPENDIX F5: DIVERSITY IN COLLECTION DEVELOPMENT

An Interpretation of the Library Bill of Rights

Collection development should reflect the philosophy inherent in Article II of the Library Bill of Rights: “Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” Library collections must represent the diversity of people and ideas in our society. There are many complex facets to any issue, and many contexts in which issues may be expressed, discussed, or interpreted. Librarians have an obligation to select and support access to materials and resources on all subjects that meet, as closely as possible, the needs, interests, and abilities of all persons in the community the library serves.

Librarians have a professional responsibility to be inclusive, not exclusive, in collection development and in the provision of interlibrary loan. Access to all materials and resources legally obtainable should be assured to the user, and policies should not unjustly exclude materials and resources even if they are offensive to the librarian or the user. This includes materials and resources that reflect a diversity of political, economic, religious, social, minority, and sexual issues. A balanced collection reflects a diversity of materials and resources, not an equality of numbers.

Collection development responsibilities include selecting materials and resources in different formats produced by independent, small and local producers as well as information resources from major producers and distributors. Materials and resources should represent the languages commonly used in the library’s service community and should include formats that meet the needs of users with disabilities. Collection development and the selection of materials and resources should be done according to professional standards and established selection and review procedures. Librarians may seek to increase user awareness of materials and resources on various social concerns by many means, including, but not limited to, issuing lists of resources, arranging exhibits, and presenting programs.

Over time, individuals, groups, and entities have sought to limit the diversity of library collections. They cite a variety of reasons that include prejudicial language and ideas, political content, economic theory, social philosophies, religious beliefs, sexual content and expression, and other potentially controversial topics. Examples of such censorship may include removing or not selecting materials because they are considered by some as racist or sexist; not purchasing conservative religious materials; not selecting resources about or by minorities because it is thought these groups or interests are not represented in a community; or not providing information or materials from or about non-mainstream political entities. Librarians have a professional responsibility to be fair, just, and equitable and to give all library users equal protection in guarding against violation of the library patron’s right to read, view, or listen to materials and resources protected by the First Amendment, no matter what the viewpoint of the author, creator, or selector. Librarians have an obligation to protect library collections from removal of materials and resources based on personal bias or prejudice.

Intellectual freedom, the essence of equitable library services, provides for free access to all expressions of ideas through which any and all sides of a question, cause, or movement may be explored. Toleration is meaningless without tolerance for what some may consider detestable. Librarians must not permit their own preferences to limit their degree of tolerance in collection development.

Adopted July 14, 1982, by the ALA Council; amended January 10, 1990; July 2, 2008.

APPENDIX F6: ECONOMIC BARRIERS TO INFORMATION ACCESS

An Interpretation of the Library Bill of Rights

A democracy presupposes an informed citizenry. The First Amendment mandates the right of all persons to free expression, and the corollary right to receive the constitutionally protected expression of others. The publicly supported library provides free, equal, and equitable access to information for all people of the community the library serves. While the roles, goals and objectives of publicly supported libraries may differ, they share this common mission.

The library's essential mission must remain the first consideration for librarians and governing bodies faced with economic pressures and competition for funding.

In support of this mission, the American Library Association has enumerated certain principles of library services in the Library Bill of Rights.

Principles Governing Fines, Fees, and User Charges

Article I of the *Library Bill of Rights* states:

Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves.

Article V of the *Library Bill of Rights* states:

A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

The American Library Association opposes the charging of user fees for the provision of information by all libraries and information services that receive their major support from public funds. All information resources that are provided directly or indirectly by the library, regardless of technology, format, or methods of delivery, should be readily, equally and equitably accessible to all library users.

Libraries that adhere to these principles systematically monitor their programs of service for potential barriers to access and strive to eliminate such barriers when they occur. All library policies and procedures, particularly those involving fines, fees, or other user charges, should be scrutinized for potential barriers to access. All services should be designed and implemented with care, so as not to infringe on or interfere with the provision or delivery of information and resources for all users. Services should be reevaluated regularly to ensure that the library's basic mission remains uncompromised.

Librarians and governing bodies should look for alternative models and methods of library administration that minimize distinctions among users based on their economic status or financial condition. They should resist the temptation to impose user fees to alleviate financial pressures, at long-term cost to institutional integrity and public confidence in libraries.

Library services that involve the provision of information, regardless of format, technology, or method of delivery, should be made available to all library users on an equal and equitable basis. Charging fees for the use of library collections, services, programs, or facilities that were purchased with public funds raises barriers to access. Such fees effectively abridge or deny access for some members of the community because they reinforce distinctions among users based on their ability and willingness to pay.

Principles Governing Conditions of Funding

Article II of the *Library Bill of Rights* states:

Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

Article III of the *Library Bill of Rights* states:

Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

Article IV of the *Library Bill of Rights* states:

Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

The American Library Association opposes any legislative or regulatory attempt to impose content restrictions on library resources, or to limit user access to information, as a condition of funding for publicly supported libraries and information services.

The First Amendment guarantee of freedom of expression is violated when the right to receive that expression is subject to arbitrary restrictions based on content.

Librarians and governing bodies should examine carefully any terms or conditions attached to library funding and should oppose attempts to limit through such conditions full and equal access to information because of content. This principle applies equally to private gifts or bequests and to public funds. In particular, librarians and governing bodies have an obligation to reject such restrictions when the effect of the restriction is to limit equal and equitable access to information.

Librarians and governing bodies should cooperate with all efforts to create a community consensus that publicly supported libraries require funding unfettered by restrictions. Such a consensus supports the library mission to provide the free and unrestricted exchange of information and ideas necessary to a functioning democracy.

The Association's historic position in this regard is stated clearly in a number of Association policies: 50.4 "Free Access to Information," 50.8 "Financing of Libraries," 51.2 "Equal Access to Library Service," 51.3 "Intellectual Freedom," 53 "Intellectual Freedom Policies," 59.1 "Policy Objectives," and 60 "Library Services for the Poor."

Adopted June 30, 1993, by the ALA Council.

APPENDIX F7: EVALUATING LIBRARY COLLECTIONS

An Interpretation of the Library Bill of Rights

The continuous review of library materials is necessary as a means of maintaining an active library collection of current interest to users. In the process, materials may be added and physically deteriorated or obsolete materials may be replaced or removed in accordance with the collection maintenance policy of a given library and the needs of the community it serves. Continued evaluation is closely related to the goals and responsibilities of each library and is a valuable tool of collection development. This procedure is not to be used as a convenient means to remove materials that might be viewed as controversial or objectionable. Such abuse of the evaluation function violates the principles of intellectual freedom and is in opposition to the Preamble and Articles I and II of the Library Bill of Rights, which state:

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

The American Library Association opposes internal censorship and strongly urges that libraries adopt guidelines setting forth the positive purposes and principles of evaluation of materials in library collections.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; June 2, 2008.

APPENDIX F8: EXHIBIT SPACES AND BULLETIN BOARDS

An Interpretation of the Library Bill of Rights

Libraries often provide exhibit spaces and bulletin boards. The uses made of these spaces should conform to the *Library Bill of Rights* Article I states, "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." Article II states, "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Article VI maintains that exhibit space should be made available "on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use."

In developing library exhibits, staff members should endeavor to present a broad spectrum of opinion and a variety of viewpoints. Libraries should not shrink from developing exhibits because of controversial content or because of the beliefs or affiliations of those whose work is represented. Just as libraries do not endorse the viewpoints of those whose work is represented in their collections, libraries also do not endorse the beliefs or viewpoints of topics that may be the subject of library exhibits.

Exhibit areas often are made available for use by community groups. Libraries should formulate a written policy for the use of these exhibit areas to assure that space is provided on an equitable basis to all groups that request it.

Written policies for exhibit space use should be stated in inclusive rather than exclusive terms. For example, a policy that the library's exhibit space is open "to organizations engaged in educational, cultural, intellectual, or charitable activities" is an inclusive statement of the limited uses of the exhibit space. This defined limitation would permit religious groups to use the exhibit space because they engage in intellectual activities, but would exclude most commercial uses of the exhibit space.

A publicly supported library may designate use of exhibit space for strictly library-related activities, provided that this limitation is viewpoint neutral and clearly defined.

Libraries may include in this policy rules regarding the time, place, and manner of use of the exhibit space, so long as the rules are content neutral and are applied in the same manner to all groups wishing to use the space. A library may wish to limit access to exhibit space to groups within the community served by the library. This practice is acceptable provided that the same rules and regulations apply to everyone, and that exclusion is not made on the basis of the doctrinal, religious, or political beliefs of the potential users.

The library should not censor or remove an exhibit because some members of the community may disagree with its content. Those who object to the content of any exhibit held at the library should be able to submit their complaint and/or their own exhibit proposal to be judged according to the policies established by the library.

Libraries may wish to post a permanent notice near the exhibit area stating that the library does not advocate or endorse the viewpoints of exhibits or exhibitors.

Libraries that make bulletin boards available to public groups for posting notices of public interest should develop criteria for the use of these spaces based on the same considerations as those outlined above. Libraries may wish to develop criteria regarding the size of material to be displayed, the length of time materials may remain on the bulletin board, the frequency with which material may be posted for the same group, and the geographic area from which notices will be accepted.

Adopted July 2, 1991, by the ALA Council; amended June 30, 2004.

APPENDIX F9: EXPURGATION OF LIBRARY MATERIALS

An Interpretation of the Library Bill of Rights

Expurgating library materials is a violation of the Library Bill of Rights. Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part(s) of books or other library resources by the library, its agents, or its parent institution (if any) when done for the purposes of censorship. Such action stands in violation of Articles I, II, and III of the Library Bill of Rights, which state that “Materials should not be excluded because of the origin, background, or views of those contributing to their creation,” that “Materials should not be proscribed or removed because of partisan or doctrinal disapproval,” and that “Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.”

The act of expurgation denies access to the complete work and the entire spectrum of ideas that the work is intended to express. This is censorship. Expurgation based on the premise that certain portions of a work may be harmful to minors is equally a violation of the Library Bill of Rights.

Expurgation without permission from the rights holder may violate the copyright provisions of the United States Code.

The decision of rights holders to alter or expurgate future versions of a work does not impose a duty on librarians to alter or expurgate earlier versions of a work. Librarians should resist such requests in the interest of historical preservation and opposition to censorship. Furthermore, librarians oppose expurgation of resources available through licensed collections. Expurgation of any library resource imposes a restriction, without regard to the rights and desires of all library users, by limiting access to ideas and information.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; January 10, 1990; July 2, 2008.

APPENDIX F10: FREE ACCESS TO LIBRARIES FOR MINORS

An Interpretation of the Library Bill of Rights

Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users violate the Library Bill of Rights. The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the Library Bill of Rights states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The "right to use a library" includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

Libraries are charged with the mission of providing services and developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of library resources. The needs and interests of each library user, and resources appropriate to meet those needs and interests, must be determined on an individual basis. Librarians cannot predict what resources will best fulfill the needs and interests of any individual user based on a single criterion such as chronological age, educational level, literacy skills, or legal emancipation. Equitable access to all library resources and services shall not be abridged through restrictive scheduling or use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, nonprint, or digital format. Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.¹ Librarians and library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether material is not constitutionally protected.

The mission, goals, and objectives of libraries cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As *Libraries: An American Value* states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services." Librarians and library governing bodies cannot assume the role of parents or the

functions of parental authority in the private relationship between parent and child. Librarians and governing bodies should maintain that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services, materials, or facilities should so advise their children.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

See also Access to Resources and Services in the School Library Media Program and Access to Children and Young Adults to Nonprint Materials.

¹See *Erznoznik v. City of Jacksonville*, 422 U.S. 205 (1975) "Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors." See also *Tinker v. Des Moines School Dist.*, 393 U.S.503 (1969); *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943); *AAMA v. Kendrick*,. 244 F.3d 572 (7th Cir. 2001).

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008.

APPENDIX F11: LABELS AND RATING SYSTEMS

An Interpretation of the Library Bill Of Rights

Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, providing access to digital information does not indicate endorsement or approval of that information by the library. Labeling and rating systems present distinct challenges to these intellectual freedom principles.

Labels on library materials may be viewpoint-neutral directional aids designed to save the time of users, or they may be attempts to prejudice or discourage users or restrict their access to materials. When labeling is an attempt to prejudice attitudes, it is a censor's tool. The American Library Association opposes labeling as a means of predisposing people's attitudes toward library materials.

Prejudicial labels are designed to restrict access, based on a value judgment that the content, language, or themes of the material, or the background or views of the creator(s) of the material, render it inappropriate or offensive for all or certain groups of users. The prejudicial label is used to warn, discourage, or prohibit users or certain groups of users from accessing the material. Such labels sometimes are used to place materials in restricted locations where access depends on staff intervention.

Viewpoint-neutral directional aids facilitate access by making it easier for users to locate materials. The materials are housed on open shelves and are equally accessible to all users, who may choose to consult or ignore the directional aids at their own discretion.

Directional aids can have the effect of prejudicial labels when their implementation becomes proscriptive rather than descriptive. When directional aids are used to forbid access or to suggest moral or doctrinal endorsement, the effect is the same as prejudicial labeling.

Many organizations use rating systems as a means of advising either their members or the general public regarding the organizations' opinions of the contents and suitability or appropriate age for use of certain books, films, recordings, Web sites, games, or other materials. The adoption, enforcement, or endorsement of any of these rating systems by a library violates the Library Bill of Rights. When requested, librarians should provide information about rating systems equitably, regardless of viewpoint.

Adopting such systems into law or library policy may be unconstitutional. If labeling or rating systems are mandated by law, the library should seek legal advice regarding the law's applicability to library operations.

Libraries sometimes acquire resources that include ratings as part of their packaging. Librarians should not endorse the inclusion of such rating systems; however, removing or destroying the ratings—if placed there by, or with permission of, the copyright holder—could constitute

expurgation. In addition, the inclusion of ratings on bibliographic records in library catalogs is a violation of the Library Bill of Rights.

Prejudicial labeling and ratings presuppose the existence of individuals or groups with wisdom to determine by authority what is appropriate or inappropriate for others. They presuppose that individuals must be directed in making up their minds about the ideas they examine. The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read or view.

Adopted July 13, 1951, by the ALA Council; amended June 25, 1971; July 1, 1981; June 26, 1990; January 19, 2005; July 15, 2009.

APPENDIX F12: LIBRARY-INITIATED PROGRAMS AS A RESOURCE

An Interpretation of the Library Bill Of Rights

Library-initiated programs support the mission of the library by providing users with additional opportunities for information, education, and recreation. Article I of the *Library Bill of Rights* states: “Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves.”

Library-initiated programs take advantage of library staff expertise, collections, services and facilities to increase access to information and information resources. Library-initiated programs introduce users and potential users to the resources of the library and to the library’s primary function as a facilitator of information access. The library may participate in cooperative or joint programs with other agencies, organizations, institutions, or individuals as part of its own effort to address information needs and to facilitate information access in the community the library serves.

Library-initiated programs on-site and in other locations include, but are not limited to, speeches, community forums, discussion groups, demonstrations, displays, and live or media presentations.

Libraries serving multilingual or multicultural communities should make efforts to accommodate the information needs of those for whom English is a second language. Library-initiated programs that cross language and cultural barriers introduce otherwise underserved populations to the resources of the library and provide access to information.

Library-initiated programs “should not be proscribed or removed [or canceled] because of partisan or doctrinal disapproval” of the contents of the program or the views expressed by the participants, as stated in Article II of the *Library Bill of Rights*. Library sponsorship of a program does not constitute an endorsement of the content of the program or the views expressed by the participants, any more than the purchase of material for the library collection constitutes an endorsement of the contents of the material or the views of its creator.

Library-initiated programs are a library resource, and, as such, are developed in accordance with written guidelines, as approved and adopted by the library’s policy-making body. These guidelines should include an endorsement of the *Library Bill of Rights* and set forth the library’s commitment to free and open access to information and ideas for all users.

Library staff select topics, speakers and resource materials for library-initiated programs based on the interests and information needs of the community. Topics, speakers and resource materials are not excluded from library-initiated programs because of possible controversy. Concerns, questions or complaints about library-initiated programs are handled according to the same written policy and procedures that govern reconsiderations of other library resources.

Library-initiated programs are offered free of charge and are open to all. Article V of the *Library Bill of Rights* states: “A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.”

The “right to use a library” encompasses all the resources the library offers, including the right to attend library-initiated programs. Libraries do not deny or abridge access to library resources, including library-initiated programs, based on an individual’s economic background or ability to pay.

Adopted January 27, 1982, by the ALA Council; amended June 26, 1990; July 12, 2000.

APPENDIX F13: PRIVACY

An Interpretation of the Library Bill Of Rights

Introduction

Privacy is essential to the exercise of free speech, free thought, and free association. The courts have established a First Amendment right to receive information in a publicly funded library.¹ Further, the courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution.² Many states provide guarantees of privacy in their constitutions and statute law.³ Numerous decisions in case law have defined and extended rights to privacy.⁴

In a library (physical or virtual), the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.⁵

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. The ALA has affirmed a right to privacy since 1939.⁶ Existing ALA policies affirm that confidentiality is crucial to freedom of inquiry.⁷ Rights to privacy and confidentiality also are implicit in the Library Bill of Rights⁸ guarantee of free access to library resources for all users.

Rights of Library Users

The Library Bill of Rights affirms the ethical imperative to provide unrestricted access to information and to guard against impediments to open inquiry. Article IV states: "Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas." When users recognize or fear that their privacy or confidentiality is compromised, true freedom of inquiry no longer exists.

In all areas of librarianship, best practice leaves the user in control of as many choices as possible. These include decisions about the selection of, access to, and use of information. Lack of privacy and confidentiality has a chilling effect on users' choices. All users have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.

Users have the right to be informed what policies and procedures govern the amount and retention of personally identifiable information, why that information is necessary for the library, and what the user can do to maintain his or her privacy. Library users expect and in many places have a legal right to have their information protected and kept private and confidential by anyone with direct or indirect access to that information. In addition, Article V of the Library Bill of Rights states: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." This article precludes the use of profiling as a basis for any breach of privacy rights. Users have the right to use a library without

any abridgement of privacy that may result from equating the subject of their inquiry with behavior.⁹

Responsibilities in Libraries

The library profession has a long-standing commitment to an ethic of facilitating, not monitoring, access to information. This commitment is implemented locally through development, adoption, and adherence to privacy policies that are consistent with applicable federal, state, and local law. Everyone (paid or unpaid) who provides governance, administration, or service in libraries has a responsibility to maintain an environment respectful and protective of the privacy of all users. Users have the responsibility to respect each others' privacy.

For administrative purposes, librarians may establish appropriate time, place, and manner restrictions on the use of library resources.¹⁰ In keeping with this principle, the collection of personally identifiable information should only be a matter of routine or policy when necessary for the fulfillment of the mission of the library. Regardless of the technology used, everyone who collects or accesses personally identifiable information in any format has a legal and ethical obligation to protect confidentiality.

Conclusion

The American Library Association affirms that rights of privacy are necessary for intellectual freedom and are fundamental to the ethics and practice of librarianship.

¹Court opinions establishing a right to receive information in a public library include Board of Education. v. Pico, 457 U.S. 853 (1982); Kreimer v. Bureau Of Police For The Town Of Morristown, 958 F.2d 1242 (3d Cir. 1992); and Reno v. American Civil Liberties Union, 117 S.Ct. 2329, 138 L.Ed.2d 874 (1997).

²See in particular the Fourth Amendment's guarantee of "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," the Fifth Amendment's guarantee against self-incrimination, and the Ninth Amendment's guarantee that "[t]he enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." This right is explicit in Article Twelve of the Universal Declaration of Human Rights: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

See: <http://www.un.org/Overview/rights.html>. This right has further been explicitly codified as Article Seventeen of the "International Covenant on Civil and Political Rights," a legally binding

international human rights agreement ratified by the United States on June 8, 1992. See: http://www.unhchr.ch/html/menu3/b/a_ccpr.htm.

³Ten state constitutions guarantee a right of privacy or bar unreasonable intrusions into citizens' privacy. Forty-eight states protect the confidentiality of library users' records by law, and the attorneys general in the remaining two states have issued opinions recognizing the privacy of users' library records. See: State Privacy Laws.

⁴Cases recognizing a right to privacy include: NAACP v. Alabama, 357 U.S. 449 (1958); Griswold v. Connecticut 381 U.S. 479 (1965); Katz v. United States, 389 U.S. 347 (1967); and Stanley v. Georgia, 394 U.S. 557 (1969). Congress recognized the right to privacy in the Privacy Act of 1974 and Amendments (5 USC Sec. 552a), which addresses the potential for government's violation of privacy through its collection of personal information. The Privacy Act's "Congressional Findings and Statement of Purpose" state in part: "the right to privacy is a personal and fundamental right protected by the Constitution of the United States." See: http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=5&sec=552a.

⁵The phrase "Personally identifiable information" was established in ALA policy in 1991. See: Policy Concerning Confidentiality of Personally Identifiable Information about Library Users. Personally identifiable information can include many types of library records, for instance: information that the library requires an individual to provide in order to be eligible to use library services or borrow materials, information that identifies an individual as having requested or obtained specific materials or materials on a particular subject, and information that is provided by an individual to assist a library staff member to answer a specific question or provide information on a particular subject. Personally identifiable information does not include information that does not identify any individual and that is retained only for the purpose of studying or evaluating the use of a library and its materials and services. Personally identifiable information does include any data that can link choices of taste, interest, or research with a specific individual.

⁶Article Eleven of the Code of Ethics for Librarians (1939) asserted that "It is the librarian's obligation to treat as confidential any private information obtained through contact with library patrons." See: Code of Ethics for Librarians (1939). Article Three of the current Code (1995) states: "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted." See: <http://www.ala.org/alaorg/oif/ethics.html>.

⁷See these ALA Policies: Access for Children and Young People to Videotapes and Other Nonprint Formats; Free Access to Libraries for Minors; Freedom to Read (<http://www.ala.org/alaorg/oif/freeread.html>); Libraries: An American Value; the newly revised Library Principles for a Networked World; Policy Concerning Confidentiality of Personally Identifiable Information about Library Users; Policy on Confidentiality of Library Records; Suggested Procedures for Implementing Policy on the Confidentiality of Library Records.

⁸Adopted June 18, 1948; amended February 2, 1961, and January 23, 1980; inclusion of “age” reaffirmed January 23, 1996, by the ALA Council.

See: <http://www.ala.org/work/freedom/lbr.html>.

⁹Existing ALA Policy asserts, in part, that: “The government’s interest in library use reflects a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave. Such a presumption can and does threaten the freedom of access to information.” Policy Concerning Confidentiality of Personally Identifiable Information about Library Users.

¹⁰See: Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities.

Adopted June 19, 2002, by the ALA Council.

APPENDIX F14: RESTRICTED ACCESS TO LIBRARY MATERIALS

An Interpretation of the Library Bill Of Rights

Libraries are a traditional forum for the open exchange of information. Restricting access to library materials violates the basic tenets of the *Library Bill of Rights*.

Some libraries block access to certain materials by placing physical or virtual barriers between the user and those materials. For example, materials are sometimes placed in a “locked case,” “adults only,” “restricted shelf,” or “high-demand” collection. Access to certain materials is sometimes restricted to protect them from theft or mutilation, or because of statutory authority or institutional mandate.

In some libraries, access is restricted based on computerized reading management programs that assign reading levels to books and/or users and limit choice to those materials on the program’s reading list. Materials that are not on the reading management list have been removed from the collection in some school libraries. Organizing collections by reading management program level, ability, grade, or age level is another example of restricted access. Even though the chronological age or grade level of users is not representative of their information needs or total reading abilities, users may feel inhibited from selecting resources located in areas that do not correspond to their assigned characteristics.

Physical and virtual restrictions on access to library materials may generate psychological, service, or language skills barriers to access as well. Because restricted materials often deal with controversial, unusual, or sensitive subjects, having to ask a librarian or circulation clerk for access to them may be embarrassing or inhibiting for patrons desiring the materials. Even when a title is listed in the catalog with a reference to its restricted status, a barrier is placed between the patron and the publication. (See also [Labels and Rating Systems](#).) Because restricted materials often feature information that some people consider objectionable, potential library users may be predisposed to think of the materials as objectionable and, therefore, be reluctant to ask for access to them.

Although federal and state statutes require libraries that accept specific types of state and/or federal funding to install filters that limit access to Internet resources for minors and adults, filtering software applied to Internet stations in some libraries may prevent users from finding targeted categories of information, much of which is constitutionally protected. The use of Internet filters must be addressed through library policies and procedures to ensure that users receive information and that filters do not prevent users from exercising their First Amendment rights. Users have the right to unfiltered access to constitutionally protected information. (See also [Access to Electronic Information, Services, and Resources](#).)

Library policies that restrict access to materials for any reason must be carefully formulated and administered to ensure they do not violate established principles of intellectual freedom. This caution is reflected in ALA policies, such as “Evaluating Library Collections,” “Free Access to

Libraries for Minors,” “Preservation Policy,” and the ACRL “Code of Ethics for Special Collections Librarians.”

Donated materials require special consideration. In keeping with the “Joint Statement on Access” of the American Library Association and Society of American Archivists, libraries should avoid accepting donor agreements or entering into contracts that impose permanent restrictions on special collections. As stated in the “Joint Statement on Access,” it is the responsibility of a library with such collections “to make available original research materials in its possession on equal terms of access.”

A primary goal of the library profession is to facilitate access to all points of view on current and historical issues. All proposals for restricted access should be carefully scrutinized to ensure that the purpose is not to suppress a viewpoint or to place a barrier between users and content. Libraries must maintain policies and procedures that serve the diverse needs of their users and protect the First Amendment right to receive information.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; July 3, 1991; July 12, 2000; June 30, 2004; January 28, 2009.

APPENDIX F15: THE UNIVERSAL RIGHT TO FREE EXPRESSION

An Interpretation of the Library Bill Of Rights

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedoms of speech, press, religion, assembly, and association, and the corollary right to receive information.

The American Library Association endorses this principle, which is also set forth in the Universal Declaration of Human Rights, adopted by the United Nations General Assembly. The Preamble of this document states that "...recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world..." and "...the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people...."

Article 18 of this document states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19 states:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.

Article 20 states:

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

We affirm our belief that these are inalienable rights of every person, regardless of origin, age, background, or views. We embody our professional commitment to these principles in the *Library Bill of Rights* and *Code of Ethics*, as adopted by the American Library Association.

We maintain that these are universal principles and should be applied by libraries and librarians throughout the world. The American Library Association's policy on International Relations reflects these objectives:

"...to encourage the exchange, dissemination, and access to information and the unrestricted flow of library materials in all formats throughout the world."

We know that censorship, ignorance, and limitations on the free flow of information are the tools of tyranny and oppression. We believe that ideas and information topple the walls of hate and fear and build bridges of cooperation and understanding far more effectively than weapons and armies.

The American Library Association is unswerving in its commitment to human rights and intellectual freedom; the two are inseparably linked and inextricably entwined. Freedom of opinion and expression is not derived from or dependent on any form of government or political power. This right is inherent in every individual. It cannot be surrendered, nor can it be denied. True justice comes from the exercise of this right.

We recognize the power of information and ideas to inspire justice, to restore freedom and dignity to the oppressed, and to change the hearts and minds of the oppressors.

Courageous men and women, in difficult and dangerous circumstances throughout human history, have demonstrated that freedom lives in the human heart and cries out for justice even in the face of threats, enslavement, imprisonment, torture, exile, and death. We draw inspiration from their example. They challenge us to remain steadfast in our most basic professional responsibility to promote and defend the right of free expression.

There is no good censorship. Any effort to restrict free expression and the free flow of information aids the oppressor. Fighting oppression with censorship is self-defeating.

Threats to the freedom of expression of any person anywhere are threats to the freedom of all people everywhere. Violations of human rights and the right of free expression have been recorded in virtually every country and society across the globe.

In response to these violations, we affirm these principles:

- The American Library Association opposes any use of governmental prerogative that leads to the intimidation of individuals that prevents them from exercising their rights to hold opinions without interference, and to seek, receive, and impart information and ideas. We urge libraries and librarians everywhere to resist such abuse of governmental power, and to support those against whom such governmental power has been employed.
- The American Library Association condemns any governmental effort to involve libraries and librarians in restrictions on the right of any individual to hold opinions without interference, and to seek, receive, and impart information and ideas. Such restrictions pervert the function of the library and violate the professional responsibilities of librarians.

- The American Library Association rejects censorship in any form. Any action that denies the inalienable human rights of individuals only damages the will to resist oppression, strengthens the hand of the oppressor, and undermines the cause of justice.
- The American Library Association will not abrogate these principles. We believe that censorship corrupts the cause of justice, and contributes to the demise of freedom.

Adopted January 16, 1991, by the ALA Council.