

B.2.1.4

(Old 53.1.4 and

53.1.13)

At the 2014 ALA Annual Conference, based on recommendation by the Committee on Intellectual Freedom, 2014-2015 ALA CD#19.4_63014_act, Access to Library Resources and Services for Minors: Interpretation of the *Library Bill of Rights*, the ALA Council adopted the revised interpretation.

At the 2015 ALA Midwinter Meeting, the Policy Monitoring Committee (PMC), noted in its report to Council that interpretations are traditionally represented in the ALA *Policy Manual* by means of an abstract, followed by a reference to the Policy Reference File, where the full text of the Interpretations reside. In these cases the latest date of revisions and the parenthetical statements will be updated to reflect the new revision date, and the new existing text of the abstract.

The following abstract was created by the Committee on Intellectual Freedom for incorporated into the ALA *Manual Policy* as follows:

Access to Library Resources and Services for Minors. Librarians are sources of copyright information for their user communities. Librarians should acquire a solid understanding of the purpose of copyright law and knowledge of its details relevant to library activities. They should do so in order to develop the ability to critically analyze issues of fair use or other limits to the rights of copyright holders, as well as to gain the confidence to implement the law using good judgment. Librarians and library staff should be educated to recognize and observe copyright and its limits, to understand and act on their rights and those of their users, and to be ready to inform or properly refer users with questions pertaining to copyright. When the balance between rights holders and information users' needs to be restored, librarians should engage with rights holders and legislators and advocate on behalf of their users and user rights.” Adopted June 30, 1972; amended: AC 1981; AC 1991; AC 2004; AC 2008; AC2014. (See Policy Reference File”: Access to Library Resources and Services for Minors: An Interpretation of the *Library Bill of Rights*, revised, 2013-2014 ALA CD#19.4. (**Formerly entitled:** Free Access to Libraries for Minors; incorporates content from Access for Children and young Adults to Nonprint Materials, B.2.1.13 (old number: 53.1.13.

Access to Library Resources and Services 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 American Library Association's *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, sound, images, data, games, software, and other formats.¹ 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.² 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 or not content is 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.

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, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Librarians and

library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

Note

1. See *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011): a) Video games qualify for First Amendment protection. Like protected books, plays, and movies, they communicate ideas through familiar literary devices and features distinctive to the medium.. And 'the basic principles of freedom of speech . . . do not vary' with a new and different communication medium."

2. See *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; and July 2, 2008.

53.1.4

At the 2008 ALA Annual Conference, upon recommendation by the Council Intellectual Freedom Committee, the ALA Council adopted the following revision to ALA Policy 53.1.4. which read:

53.1.4 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. Adopted 1972, amended 1981, 1992, 2004, and 2008.

(See "Policy Reference File": Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights, revised, 2007-2008 ALA CD#19.7.)

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.

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

¹ ¹*See* 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).

FREE ACCESS TO LIBRARIES FOR MINORS

An Interpretation of the LIBRARY BILL OF RIGHTS

Library policies and procedures ~~which that~~ effectively deny minors equal and equitable access to all library resources 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 developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities ~~which 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, ~~level of education~~, educational level, literacy skills, or legal emancipation.

~~The selection and development of library resources should not be diluted because of minors having the same access to library resources as adult users.~~ 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 in the library. 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 or not material is not constitutionally protected.

~~Librarians and governing bodies should not resort to age restrictions on access to library resources in an effort to avoid actual or anticipated objections from parents or anyone else. The mission, goals, and objectives of libraries do not~~ cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents or legal

*Amended by Council
at the 2004 Annual Conference 6/30/04*

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 governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources.~~ Parents or legal guardians 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. ~~Librarians and governing bodies have a public and professional obligation to provide equal access to all library resources for all library users.~~

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation ~~Librarians have a professional commitment~~ to ensure that all members of the community they serve have free, ~~and 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.

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 [422 U.S. 205, 214] 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 Tinker v. Des Moines School Dist., *supra*. Cf. West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (1943)."

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

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An Interpretation of the LIBRARY BILL OF RIGHTS

Library policies and procedures which effectively deny minors equal access to all library resources 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, or legal emancipation of users violates Article V.

Libraries are charged with the mission of developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities which 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, level of education, or legal emancipation.

The selection and development of library resources should not be diluted because of minors having the same access to library resources as adult users. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Librarians and governing bodies should not resort to age restrictions on access to library resources in an effort to avoid actual or anticipated objections from parents or anyone else. The mission, goals, and objectives of libraries do not authorize librarians or governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents or legal guardians. Librarians and governing bodies should maintain that parents - and only parents - have the right and the responsibility to restrict the access of their children - and only their children - to library resources. Parents or legal guardians who do not want their children to have access to certain library services, materials or facilities, should so advise their children. Librarians and 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 have a public and professional obligation to provide equal access to all library resources for all library users.

Librarians have a professional commitment to ensure that all members of the community they serve have free and equal 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 governing bodies must uphold this principle in order to provide adequate and effective service to minors.

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see also

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FREE ACCESS TO LIBRARIES FOR MINORS
An Interpretation of the LIBRARY BILL OF RIGHTS

see also 103.4/3

Some library procedures and practices effectively deny minors access to certain services and materials available to adults. Such procedures and practices are not in accord with the LIBRARY BILL OF RIGHTS and are opposed by the American Library Association.

Restrictions take a variety of forms, including, among others, restricted reading rooms for adult use only, library cards limiting circulation of some materials to adults only, closed collections for adult use only, collections limited to teacher use, or restricted according to a student's grade level, and interlibrary loan service for adult use only.

Article 5 of the LIBRARY BILL OF RIGHTS states that, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." All limitations on minors' access to library materials and services violate that Article. The "right to use a library" includes use of, and access to, all library materials and services. Thus, practices which allow adults to use some services and materials which are denied to minors abridge the use of libraries based on age.

Material selection decisions are often made and restrictions are often initiated under the assumption that certain materials may be "harmful" to minors, or in an effort to avoid controversy with parents. Libraries or library boards who would restrict the access of minors to materials and services because of actual or suspected parental objections should bear in mind that they do not serve in loco parentis. Varied levels of intellectual development among young people and differing family background and child-rearing philosophies are significant factors not accommodated by a uniform policy based upon age.

In today's world, children are exposed to adult life much earlier than in the past. They read materials and view a variety of media on the adult level at home and elsewhere. Current emphasis upon early childhood education has also increased opportunities for young people to learn and to have access to materials, and has decreased the validity of using chronological age as an index to the use of libraries. The period of time during which children are interested in reading materials specifically designed for them grows steadily shorter, and librarians must recognize and adjust to this change if they wish to serve young people effectively. Librarians have a responsibility to ensure that young people have access to a wide range of informational and recreational materials and services that reflects sufficient diversity to meet the young person's needs.

The American Library Association opposes libraries restricting access to library materials and services for minors and holds that it is the parents -- and only parents -- who may restrict their children -- and only their children -- from access to library materials and services. Parents who would rather their children did not have access to certain materials should so advise their children. The library and its staff are responsible for providing equal access to library materials and services for all library users.

The word "age" was incorporated into Article 5 of the LIBRARY BILL OF RIGHTS because young people are entitled to the same access to libraries and to the materials in libraries as are adults. Materials selection should not be diluted on that account.

Adopted June 30, 1972; amended July 1, 1981, by the ALA Council.

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AMERICAN LIBRARY ASSOCIATION

Item: INTELLECTUAL FREEDOM Item Number: 103.4.8
Approved by: ALA Council Page: 1 of 2
Issue Date: June, 1972 Supersedes: _____

FREE ACCESS TO LIBRARIES FOR MINORS

An interpretation of the LIBRARY BILL OF RIGHTS

Some library procedures and practices effectively deny minors access to certain services and materials available to adults. Such procedures and practices are not in accord with the LIBRARY BILL OF RIGHTS and are opposed by the American Library Association.

Restrictions take a variety of forms, including, among others, restricted reading rooms for adult use only, library cards limiting circulation of some materials to adults only, closed collections for adult use only, and inter-library loan service for adult use only.

All limitations in minors' access to library materials and services violate Article V of the LIBRARY BILL OF RIGHTS, which states that, "The rights of an individual to the use of a library should not be denied or abridged because of his age...". Limiting access to some services and materials to only adults abridges the use of libraries for minors. "Use of the library" includes use of, and access to, all library materials and services.

Restrictions are often initiated under the assumption that certain materials are "harmful" to minors, or in an effort to avoid controversy with parents who might think so. The librarian who would restrict the access of minors to materials and services because of actual or suspected parental objection should bear in mind that he is not IN LOCO PARENTIS in his position as librarian. Individual intellectual levels and family backgrounds are significant factors not accommodated by a uniform policy based upon age.

In today's world, children are exposed to adult life much earlier than in the past. They read materials and view a variety of media on the adult level at home and elsewhere. Current emphasis upon early childhood education has also increased opportunities for young people to learn and to have access to materials, and has decreased the validity of using chronological age as an index to the use of libraries. The period of time during which children are interested in reading materials specifically designed for them grows steadily shorter, and librarians must recognize and adjust to this change if they wish to maintain the patronage of young people.

AMERICAN LIBRARY ASSOCIATION

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Approved by: ALA Council Page: 2 of 2
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The American Library Association holds that it is the parent--and only the parent--who may restrict his children--and only HIS children--from access to library materials and services. The parent who would rather his child did not have access to certain materials should so advise the child.

The word "age" was incorporated into Article V of the LIBRARY BILL OF RIGHTS as a direct result of a pre-conference entitled "Intellectual Freedom and the Teenager," held in San Francisco in June, 1967. One recommendation of the preconference participants was, "That free access to all books in a library collection be granted to young people." The preconference generally concluded that young people are entitled to the same access to libraries and to the materials in libraries as are adults and that materials selection should not be diluted on that account.

This does not mean, for instance, that issuing different types of borrowers' cards to minors and adults is, PER SE, contrary to the LIBRARY BILL OF RIGHTS. If such practices are used for purposes of gathering statistics, the various kinds of cards carry no implicit or explicit limitations on access to materials and services. Neither does it mean that maintaining separate children's collections is a violation of the LIBRARY BILL OF RIGHTS, provided that no patron is restricted to the use of only certain collections.

The Association's position does not preclude isolating certain materials for legitimate protection of irreplaceable or very costly works from careless use. Such "restricted-use" areas as rare book rooms are appropriate if the materials so classified are genuinely rare, and not merely controversial.

Unrestrictive selection policies, developed with care for principles of intellectual freedom and the LIBRARY BILL OF RIGHTS, should not be vitiated by administrative practices which restrict minors to the use of only part of a library's collections and services.

B.2.1.13 Access for Children and Young Adults to Nonprint Materials (Old Number 53.1.13)

Recognizing that librarians cannot act in loco parentis, policies which set minimum age limits for access to nonprint materials and equipment with or without parental permission abridge library use for minors. Nevertheless, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children's viewing, using published reviews of films and videotapes and reference works that provide information about the content, subject matter, and recommended audiences.

**Adopted 1989, revised 1991 and 2004. (See "Policy Reference File":
Access for Children and Young Adults to Nonprint Materials: An
Interpretation of the Library Bill of Rights: 1988-89CD#92.6. - PDF, 7 pgs)**

***NOTE TO READER:* B.2.1.13 Access for Children and Young Adults to Nonprint Materials (Old Number 53.1.13) contents have been incorporated into B.2.1.4 Access to Libraries for Minors (Old Number 53.1.4) (formerly titled: Free Access to Libraries for Minors).**

53.1.13



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, by the ALA Council; amended June 30, 2004.

[ISBN 8389-7351-5]

Related Files

Access for Children and Young Adults to Nonprint Materials
(PDF File)

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At their spring 2004 meeting, the IFC initiated a review of all *Library Bill of Rights* Interpretations as well as the various policies, guidelines, and statements that are included in the *Intellectual Freedom Manual*. The Committee identified eight Interpretations and three policies for revision. Seven Interpretations and one policy were edited for grammar and the accuracy of references.

During its work on the Interpretations and policies identified for revision the Committee reviewed each one to ensure that it begins and ends with strength and clarity, that the first and last paragraphs support each other, that the order of the paragraphs makes sense and reflects relative importance, and that the entire document supports the library profession's philosophy and principles of intellectual freedom. In addition, the Committee attempted to use language that is both specific enough to be practical and general enough to avoid being immediately outdated. Committee members agreed to continue to develop and update guidelines and question-and-answer documents to address the more rapidly changing aspects of intellectual freedom issues.

In response to concerns about the impact of the digital divide on access to information, the Committee expanded "equal access" to "equal and equitable access" whenever it was appropriate to do so. When asked to explain this change, Committee chair Nancy Kranich provided an example of the importance of including both terms:

The SEC [Securities Exchange Commission] had one reading room in the old days to read all those filings. Everyone had *equal* access to the reading room in New York City, but it wasn't *equitable* access for those who had to pay to come to New York City. It is important to include *equitable* because *equal* is not about the digital divide and *equitable* is; it is crucial to remind people that the digital divide still exists.

At the 2004 Annual Conference, after circulating proposed changes to ALA units, liaisons, and chapters, and discussing all comments received, the IFC presented Council with recommendations for changes in the following Interpretations and policies:

- The title "Access for Children and Young People to Videotapes and Other Nonprint Formats" was changed

- to "Access for Children and Young Adults to Nonprint Materials" to keep the Interpretation from becoming outdated as a result of technology and terminology changes.
- The title "Access to Library Resources and Services regardless of Gender or Sexual Orientation" was changed to "Access to Library Resources and Services regardless of Sex, Gender Identity, or Sexual Orientation" to more accurately describe the applicability of the Interpretation. Appropriate passages in the Interpretation were revised to reflect this change.
- "Exhibit Spaces and Bulletin Boards" was changed for clarity concerning the option of limiting the use of space to library-related activities.
- "Free Access to Libraries for Minors," concerning the rights of minors, was strengthened, including the addition of a reference to the legal basis for those rights. The section on the responsibility of parents was revised to include a statement from Libraries: An American Value.
- Policy on Governmental Intimidation was changed for inclusion and clarity.
- The Freedom to Read statement was changed to include censorship or suppression based on concerns about safety or national security. The word "citizens" was changed to "others," "individuals," or "Americans" as appropriate. In addition, two references to censors that were unnecessary for the message of the statement were removed.
- "Restricted Access to Library Materials" was edited for clarity and conciseness.
- A new first paragraph was added to Policy concerning Confidentiality of Personally Identifiable Information about Library Users. It consisted of the definitions of privacy and confidentiality from "Privacy: An Interpretation of the *Library Bill of Rights*." The remaining paragraphs were reordered for strength and clarity.

At the 2005 Midwinter Meeting, the IFC completed its review of policies by recommending to Council changes in the following Interpretations and policies:

- "Access to Electronic Information" was changed for clarity, consistency of terminology. Right to receive information of speech and the right of protected information. To bring the Interpretation
- At the request of the ALA Resources and Services Program, the term "school" was replaced with "school" description of the school expanded from resources include "materials that support personal development, individual needs of students."
- The title of "Statement on Labels and Rating Systems" reflects the scope of the statement to distinguish between labels and labels designed to protect. The Committee acknowledges about how this Interpretation online library catalogs, book jackets and access to reading lists. To answer questions may arise, the Committee and-answer document

Following are those documents from the Freedom Committee as Interpretations along with background, statement history of each. For convenience are presented in alphabetical order the American Library Association Council.

Recognizing that libraries cannot act *in loco parentis*, policies which set minimum age limits for access to videotapes and/or audiovisual material and equipment with or without parental permission abridge library use for minors. Nevertheless, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children's viewing, using published reviews of films and videotapes and/or reference works which provide information about the content, subject matter, and recommended audiences. Adopted 1989, revised 1991.

(See "Current Reference File": Access for Children and Young People to Videotapes and Other Nonprint Resources: An Interpretation of the Library Bill of Rights: 1988-89 CD #92.6.)

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ACCESS FOR CHILDREN AND YOUNG PEOPLE TO VIDEOTAPES
AND OTHER NONPRINT FORMATS

An Interpretation of the LIBRARY BILL OF RIGHTS

Library collections of videotapes, motion pictures, and other nonprint formats raise a number of intellectual freedom issues, especially regarding minors.

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 have access to materials and services that reflect diversity sufficient to meet their needs.

To guide librarians and others in resolving these issues, the American Library Association provides the following guidelines.

Article V of the LIBRARY BILL OF RIGHTS says, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

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, or legal emancipation of users violates Article V.

. . . [P]arents - and only parents - have the right and the responsibility to restrict the access of their children - and only their children - to library resources. Parents or legal guardians who do not want their children to have access to certain library services, materials or facilities, should so advise their children. Librarians and 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 have a public and professional obligation to provide equal access to all library resources for all library users.

Policies which set minimum age limits for access to videotapes and/or other audiovisual materials and equipment, with or without parental permission, abridge library use for minors. Further, age limits based on the cost of the materials are unacceptable. Unless directly and specifically prohibited by law from circulating certain motion pictures and video productions to minors, librarians should apply the same standards to circulation of these materials as are applied to books and other materials.

Recognizing that libraries 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. Published reviews of films and videotapes and/or reference works which provide information about the content, subject matter, and recommended audiences can be made available in conjunction with nonprint collections to assist parents in guiding their children without

implicating the library in censorship. This material may include information provided by video producers and distributors, promotional material on videotape packaging, and Motion Picture Association of America (MPAA) ratings if they are included on the tape or in the packaging by the original publisher and/or if they appear in review sources or reference works included in the library's collection. Marking out or removing ratings information from videotape packages constitutes expurgation or censorship.

MPAA and other rating services are private advisory codes and have no legal standing*. For the library to add such ratings to the materials if they are not already there, to post a list of such ratings with a collection, or to attempt to enforce such ratings through circulation policies or other procedures constitutes labeling, "an attempt to prejudice attitudes" about the material, and is unacceptable. The application of locally generated ratings schemes intended to provide content warnings to library users is also inconsistent with the LIBRARY BILL OF RIGHTS.

*For information on case law, please contact the ALA Office for Intellectual Freedom.

See also: STATEMENT ON LABELING and EXPURGATION OF LIBRARY MATERIALS, Interpretations of the LIBRARY BILL OF RIGHTS.

Adopted June 28, 1989, by the ALA Council; the quotation from FREE ACCESS TO LIBRARIES FOR MINORS was changed after Council adopted the July 3, 1991, revision of that Interpretation.

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