

2018-2019 ALA CD#19.12-20__62617_act
2019 ALA Annual Conference

**ALA Intellectual Freedom Committee
Report to Council
2019 ALA Annual Conference
Washington, DC
Tuesday, June 25, 2019**

The ALA Intellectual Freedom Committee (IFC) is pleased to present this update of its activities.

INFORMATION

IFC Spring Meeting

In anticipation of the 10th edition of the *Intellectual Freedom Manual*, IFC members and liaisons met at ALA Chicago Headquarters March 22-24, 2019 for a dedicated weekend of reviewing and modifying intellectual freedom resources. Throughout the weekend workshop, attendees met in both smaller groups to revise documents, and as a committee to discuss proposed language on interpretations, policies, guidelines, and Q&As. The committee reviewed multiple documents and proposed next steps to continue the committee's work before Annual Conference.

Resolutions

The committee reviewed the "Resolution on Library Service for Children in Detention at Migrant Detention Centers," and voted to endorse in principle.

The committee has been tasked by Council to discuss and revise the "Resolution in the Defense of Free Speech of Supporters of the Movement for Palestinian Rights." The Committee on Legislation and the International Relations Committee have also been tasked with this. The other committee chairs and I propose forming a task force with volunteers from our committees to work on this document jointly. We have also sent an invitation to the Social Responsibilities Round Table to participate.

Merritt Fund

The LeRoy C. Merritt Humanitarian Fund was established in 1970 as a special trust in memory of Dr. LeRoy C. Merritt. It is devoted to the support, maintenance, medical care, and welfare of librarians who, in the trustees' opinion, are denied employment rights or discriminated against on the basis of gender, sexual orientation, race, color, creed, religion, age, disability, or place of national origin, or denied employment rights because of defense of intellectual freedom.

During ALA Annual Conference, the Merritt Fund Board of Trustees met to discuss membership and promotional ideas, including the fund's 50th celebration next year.

A Merritt Fund Reception for a Cause was hosted in ALA President Loida Garcia-Febo's presidential suite on Sunday, June 23. Sponsored by the Intellectual Freedom Round Table, the reception raised money to support the fund.

IFC Programs at ALA Annual Conference

The Intellectual Freedom Committee hosted or co-hosted three programs at this Annual Conference:

- Controversial Speaker Planned for your Library Event? Things to Consider
- When You Can't Go Home Again: Refugee and Exile Authors in the US
- Are You Going to Tell My Parents?: The Minor's Right to Privacy in the Library

With only standing room-only, the panelists for "Are You Going to Tell My Parents" and moderator Johana Orellana Cabrera presented resources via a slideshow and discussed the necessity of having and reviewing privacy policies and understanding local statutes. Panelists at "When You Can't Go Home Again" discussed their experiences as or with refugee and exile authors, as well as current themes in literature by refugee and exile authors. The program was moderated by Jessica Powers. At "Controversial Speaker Planned for your Library Event," authors Ellen Hopkins and Gayle Pitman, Communications & Marketing Office Deputy Director Macey Morales, and co-leaders of the working group that crafted "Responding to and Preparing for Controversial Programs and Speakers Q&A" Peter Coyl and Sukrit Goswami spoke about their experiences with censorship and policies and preparation regarding programming. The program was moderated by Stephanie Barnaby.

IFC Chair Julia Warga discussed the committee's charge, current projects, and how to get involved at the Intellectual Freedom 101 program.

Recognition of Intellectual Freedom Committee Members

IFC members dedicate weekly hours to leading working group meetings, planning programs, and offering guidance on resources and emerging trends. The committee would like to recognize the work and advocacy of its outgoing members: Emily Clasper, Peter Coyl, Eldon Ray James, Johana Orellana Cabrera, Sarah Thornbery, and Paul Flagg.

Privacy Subcommittee

The Privacy Subcommittee reviewed and revised “Questions and Answers on Privacy and Confidentiality” and “Radio Frequency Identification (RFID), Technology and Privacy Principles” (Policy B.2.11). The subcommittee recommended that the Intellectual Freedom Committee request the withdrawal of the RFID statement in favor of guidelines that would offer the ability to incorporate changes due to changing technology and law without seeking Council approval. The subcommittee drafted replacement guidelines to take the place of the policy statement, titled “RFID in Libraries: Privacy and Confidentiality Guidelines.” The subcommittee voted to send the document to the IFC for adoption, and the IFC approved the new guidelines. The guidelines are attached to this report as an information item.

The subcommittee also reviewed the “Resolution on the Retention of Library Usage Records” and recommended no changes. They will be bringing forward new guidelines on vendor relations and privacy, data analytics, and assistive technologies at Midwinter.

INITIATIVES

Choose Privacy Week 2019

From May 1-7, the Office for Intellectual Freedom joined the IFC Privacy Subcommittee in observing Choose Privacy Week. The theme, “Inclusive Privacy: Closing the Gap,” focused on the privacy inequities imposed on vulnerable and historically underrepresented populations and highlighted how libraries can close the privacy gap for persons belonging to those communities. The week included an online symposium that featured commentaries by librarians, educators, and privacy experts addressing disability and privacy, student privacy, library privacy for LGBTQ youth, the privacy concerns of formerly incarcerated persons, immigrants’ privacy, government surveillance, and conversations on why privacy matters in the library. The commentaries are available on ALA’s Choose Privacy Every Day blog.

National Library Week – Top 11 Challenged Books of 2018

On April 8, the ALA Office for Intellectual Freedom (OIF) released the Top 11 Most Challenged Books of 2018, diverging from the usual "Top 10" list to highlight the fact that the last two books on the list – both tied in the rankings – were publicly burned in protest of the community's Pride celebration.

In 2018, OIF tracked 347 challenges to library, school and university materials and services, and a total of 483 books were challenged or banned. The titles of the Top 11 Most Challenged Books are:

1. *George* by Alex Gino
Banned, challenged, and relocated because it was believed to encourage children to clear browser history and change their bodies using hormones; also challenged for mentioning "dirty magazines," describing male anatomy, "creating confusion," and including a transgender character.
2. *A Day in the Life of Marlon Bundo* by Jill Twiss, illustrated by EG Keller
Banned and challenged for including LGBTQIA+ content, and for its political and religious viewpoints.
3. *Captain Underpants series* written and illustrated by Dav Pilkey
Challenged because it was perceived as encouraging disruptive behavior, while the individual title *Captain Underpants and the Sensational Saga of Sir Stinks-A-Lot* was challenged for including a same-sex couple.
4. *The Hate U Give* by Angie Thomas
Banned and challenged because it was deemed "anti-cop," and for profanity, drug use, and sexual references.
5. *Drama* written and illustrated by Raina Telgemeier
Banned and challenged for including LGBTQIA+ characters and themes.
6. *Thirteen Reasons Why* by Jay Asher
Banned, challenged, and restricted for addressing teen suicide.
7. *This One Summer* by Mariko Tamaki, illustrated by Jillian Tamaki
Banned and challenged for profanity, sexual references, and certain illustrations.
8. *Skippyjon Jones series* written and illustrated by Judy Schachner
Challenged for depicting stereotypes of Mexican culture.

9. *The Absolutely True Diary of a Part-Time Indian* by Sherman Alexie
Banned and challenged for sexual references, profanity, violence, gambling, and underage drinking, and for its religious viewpoint.
10. *This Day in June* by Gayle E. Pitman, illustrated by Kristyna Litten
Challenged and burned for including LGBTQIA+ content.
11. *Two Boys Kissing* by David Levithan
Challenged and burned for including LGBTQIA+ content.

The list of the most challenged books was included in the State of America’s Libraries report, and the accompanying infographics designed by Becky Lomax from *American Libraries* drew the most engagement on OIF social media platforms. Through the collaborative efforts within ALA groups and through coordinated social media, webpages, publications and interviews, ALA highlighted the role of libraries in offering an array of perspectives in collections and fueled discussions about current censorship trends.

Banned Books Week 2019

Banned Books Week will be held Sept. 22-28, 2019. IFC members shared their thoughts on mock-ups of the theme design and products at the 2019 Midwinter Meeting, which were released during National Library Week. New products include glow-in-the-dark buttons, a George Orwell tote, and a new issue of the Field Report. The Banned Books Week 2019 theme is “Censorship Leaves Us in the Dark. Keep the Light On,” drawing attention to the effects censorship has on the reader, and the vibrant places that “keep the light on” by allowing access to a variety of viewpoints. The sponsors of the Banned Books Week Coalition also adopted this theme. During Banned Books Week 2019, OIF plans to host the Dear Banned Author letter-writing campaign for the second year, and collaborate with local institutions on hosting events.

CENSORSHIP TRENDS AND RECENT CHALLENGES

Since 1990, OIF has maintained a database on challenged resources and intellectual freedom trends. ALA collects information from two sources: media reports culled from news outlets and social platforms, and reports submitted by individuals through the online form.

From Jan. 1-May 31, 2019, OIF tracked 142 unique cases, affecting 186 banned and challenged library resources and services (such as programs, artwork, books, movies, exhibits, displays, and meeting rooms). OIF is seeing trends with the censorship of prison materials, digital content and

online resources, archives and yearbooks, and unpublished books. The office also notes a trend with hate crimes, and legislation about filtering and obscenity.

IFC PROJECTS AND WORKING GROUPS

IFC Conference Programming Working Group

The committee organized and hosted or co-hosted three programs at ALA Annual Conference. More information about the programs' content can be found in the "Information" section of this report. The committee plans to submit program proposals for consideration at ALA Annual Conference 2020.

"Guidelines for Library Policies"

Previously titled "Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities," revisions to this resource was made for grammar and clarity to make the document easier to use. The guidelines were adopted by IFC in 1994, and revised in 2005 and 2014. The committee voted to approve these guidelines in principle, and voted to designate *Intellectual Freedom Manual* Assistant Editor Trina Magi to have editorial permission to make edits and grammatical changes on the guidelines.

"Education and Information Literacy: An Interpretation of the *Library Bill of Rights*"

An IFC working group was formed to revise "Advocating for Intellectual Freedom: An Interpretation of the *Library Bill of Rights*," adopted by ALA Council in 2009 and amended in 2014. The working group began the revision process by comparing the 2009 version (titled "The Importance of Education to Intellectual Freedom") to the 2014 version (titled "Advocating for Intellectual Freedom"). The original version was about how libraries provide education, and in doing so, facilitate intellectual freedom. The most recent version focused on how libraries educate people about intellectual freedom. After extensive conversations, the group came to a consensus about returning to the 2009 intent, especially since it has a direct connection to the *Library Bill of Rights*. The document's revisions also include updated language addressing inclusivity and the definition of "access." A draft was circulated widely for feedback, and each comment was taken into consideration. The interpretation is included in this report as an action item.

“Economic Barriers to Information Access: An Interpretation of the *Library Bill of Rights*”

Adopted in 1993, the “Economic Barriers to Information Access” interpretation revision has a reference to “Resolution on Monetary Library Fines as a Form of Social Inequity,” a statement on examining policy and procedure to actively move toward eliminating policies/procedures that may create potential barriers to access or academic achievement, and examples of policies and procedures that may deny access for community members. The interpretation also offers guidance on considering waiving or reducing costs of lost, stolen, or willfully damaged materials based on the user’s ability to pay. A draft was circulated widely for feedback, and each comment was taken into consideration. The interpretation is included in this report as an action item.

“User-Initiated Exhibits, Displays, and Bulletin Boards: An Interpretation of the Library Bill of Rights”

Revisions with the “Exhibit Spaces and Bulletin Boards” interpretation — adopted in 1991 and amended in 2004 and 2014 — include adding displays as a format that may benefit libraries’ communities; clarifying the guidance on spaces made available to community groups or individuals for exhibits, public displays, notices, pamphlets, and flyers; and incorporating a description of content-neutral. A draft was circulated widely for feedback, and each comment was taken into consideration. The interpretation is included in this report as an action item.

“Access to Digital Resources and Services: An Interpretation of the Library Bill of Rights”

The “Access to Digital Information, Services, and Networks” interpretation, adopted in 1996 and amended in 2005 and 2009, now has a reference to Article VII of the *Library Bill of Rights* regarding privacy, an explanation about third-party vendors, and a section about minimizing the “digital divide.” The word “networks” was removed from the title. A draft was circulated widely for feedback, and each comment was taken into consideration. The revised interpretation is included in this report as an action item.

“Evaluating Library Collections: An Interpretation of the Library Bill of Rights”

“Evaluating Library Collections” interpretation, which was adopted in 1973 and amended in 1981 and 2008, was expanded to include the reasons for the inclusion or removal of materials, acknowledges that both content and content creators may be considered offensive and how resources should be subject to library policies, and includes a statement on the importance of

educating users about the context of materials. The interpretation revision also outlines distinctions between collection development, weeding, and censorship. A draft was circulated widely for feedback, and each comment was taken into consideration. The interpretation revision is attached to this report as an action item.

“Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights”

The “Access to Library Resources and Services for Minors” interpretation was adopted in 1972, and amended in 1981, 1991, 2004, 2008 under the name "Free Access to Libraries for Minors," and 2014. The changes made to the interpretation include explicitly calling out “schools” in providing resources and services to communities; replacing the term “self-censorship” with “a library’s failure to acquire materials on the grounds that minors may not be able to access those materials”; including social media, online applications, and programming in a list of ways that children and young adults receive information at the library; and incorporating a statement on students and minors being free from unreasonable instruction into or surveillance of their lawful library use, with two supporting citations. A draft was circulated widely for feedback, and each comment was taken into consideration. The interpretation is included in this report as an action item.

“Rating Systems: An Interpretation of the Library Bill of Rights”

Revisions to the “Rating Systems” interpretation include adding a definition of “rating systems,” an altered description of the creation and assumptions regarding rating systems, more examples of resources that include rating systems, and a paragraph about not restricting access to materials based on library users’ age. A draft was circulated widely for feedback, and each comment was taken into consideration. The interpretation is included in this report as an action item.

“Intellectual Freedom Advocacy and Education”

The IFC and Committee on Professional Ethics (COPE) formed a joint working group to address issues raised in the revision of “Education and Information Literacy: An Interpretation of the *Library Bill of Rights*.” In the revision of the interpretation, IFC compared the 2009 version (titled “The Importance of Education to Intellectual Freedom”) to the 2014 version (titled “Advocating for Intellectual Freedom”) The original version was about how libraries provide education, and in doing so, facilitate intellectual freedom. The 2014 recent version focused on how libraries educate people about intellectual freedom. After extensive conversations, the interpretation working group came to a consensus about returning to the 2009 intent in the revised interpretation, but did not want to lose the ideas contained in the 2014 version. Because of its alignment with the ALA *Code of Ethics*, COPE and the IFC created a joint policy statement

that supports the 2014 version's goal of promoting intellectual freedom education in libraries. The statement was circulated widely, and each comment was taken into consideration. The statement is included in this report as an action item.

Future and continuing projects

The IFC will continue to review and edit intellectual freedom resources, focusing on guidelines and Q&As after conference, including "Religion in American Libraries Q&A," "Access to Digital Information, Services and Networks Q&A," and "Guidelines for the Development of Policies and Procedures Regarding User Behavior and Library Usage." The committee is continually seeking volunteers and liaisons. Those interested can contact IFC Chair Julia Warga at glynnj@kenyon.edu.

ACTION ITEMS The Intellectual Freedom Committee moves the adoption of the following action items:

CD #19.13 "Education and Information Literacy: An Interpretation of the *Library Bill of Rights*"

CD #19.14 "Economic Barriers to Information Access: An Interpretation of the *Library Bill of Rights*"

CD #19.15 "User-Initiated Exhibits, Displays, and Bulletin Boards: An Interpretation of the *Library Bill of Rights*"

CD #19.16 "Access to Digital Resources and Services: An Interpretation of the *Library Bill of Rights*"

CD #19.17 "Evaluating Library Collections: An Interpretation of the *Library Bill of Rights*"

CD #19.18 "Access to Library Resources and Services for Minors: An Interpretation of the *Library Bill of Rights*"

CD #19.19 "Rating Systems: An Interpretation of the *Library Bill of Rights*"

CD #19.20 "Intellectual Freedom Advocacy and Education"

In closing, the Intellectual Freedom Committee thanks the division and chapter intellectual freedom committees, the Intellectual Freedom Round Table, the unit liaisons, and the OIF staff for their commitment, assistance, and hard work.

Respectfully Submitted,

ALA Intellectual Freedom Committee
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RFID in Libraries: Privacy and Confidentiality Guidelines

Radio Frequency Identification (RFID) technology collects, uses, stores, and broadcasts data. Components of RFID systems include tags, tag readers, computer hardware (such as servers and security gates) and RFID-specific software (such as RFID system administration programs, inventory software, etc.).

RFID technology can enable efficient and ergonomic inventory, security, and circulation operations in libraries. Like other technologies that enable self-checkout of library materials, RFID can enhance individual privacy by allowing users to checkout materials without relying on library staff.

Because RFID tags may be read by unauthorized individuals using tag readers, there is the possibility that the improper implementation of RFID technology will compromise users' privacy in the library. Researchers have identified serious general concerns about the privacy implications of RFID use, and particular privacy concerns about RFID use in libraries.¹ Libraries implementing RFID should use and configure the technology to maintain the privacy of library users.

Basic Privacy & Confidentiality Principles

Protecting user privacy and confidentiality has long been [an integral part of the intellectual freedom mission of libraries](#). The right to free inquiry as assured by the [First Amendment](#) depends upon the ability to read and access information free from scrutiny by the government or other third parties. Librarians have a professional and ethical obligation to preserve a user's right to privacy, confidentiality, and prevent any unauthorized use of personally identifiable information. This obligation is stated in the [ALA Bill of Rights, Amendment VII](#), and the [ALA Code of Ethics, Principle 3](#). As always, librarians should follow these principles when adopting any new technology.

Policy Guidelines

When selecting and implementing RFID technology, librarians should:

- Use the RFID selection and procurement process as an opportunity to educate library users about RFID technology and its current and future use in the library and society as a whole. A transparent selection process allows a library to publicize its reasons for wanting to implement an RFID system while listening to its users and giving them a larger voice in the public debate over RFID technology.
- Consider selecting an "opt-in" system that allows library users who wish to use or carry an RFID-enabled borrower card do so while allowing others to choose an alternative method to borrow materials. Because all members who share integrated library systems may not wish to implement an RFID system, this option also may be necessary for library consortia.
- Review and update appropriate privacy policies and procedures to continue protecting users' privacy, in accordance with Article VII of the Library Bill of Rights and Article III of the ALA Code of Ethics.
- Ensure that institutional privacy policies and practices addressing notice, access, use, disclosure, retention, enforcement, security, and disposal of records are reflected in the configuration of the RFID system. As with any new application of technology, librarians should ensure that RFID policies and procedures explain and clarify how RFID affects users' privacy. The ALA [Library Privacy Toolkit](#) can assist libraries in drafting appropriate privacy policies. There are specific guidelines available for drafting privacy policies, including the [Library Privacy Guidelines for Library Management Systems](#), [Library Privacy Guidelines for Library Websites, OPACs, and Discovery Services](#), and [Library Privacy Guidelines for Data Exchange Between Networked Devices and Services](#).
- Delete personally identifiable information (PII) collected by RFID systems, just as libraries take reasonable steps to remove PII from aggregated, summary data.
- Notify the public about the library's use of RFID technology. Disclose any changes in the library's privacy policies that result from the adoption of an RFID system. Notices can be posted inside the library and in the library's print and online publications.
- Assure that all library staff continue to receive training on privacy issues, especially regarding those issues that arise due to the implementation and use of RFID technology.
- Be prepared to answer users' questions about the impact of RFID technology on their privacy. Either staff at all levels should be trained to address users' concerns, or one person should be designated to address them.

Best Practices

As with any new application of technology, librarians should strive to develop best practices to protect user privacy and confidentiality. With respect to RFID technology, librarians should:

- Continue their longstanding commitment to securing bibliographic and user databases from unauthorized access and use.

- Use the most secure connection possible for all communications with the Integrated Library Systems (ILS) to prevent unauthorized monitoring and access to personally identifiable information. For example, SIP over HTTPS, ensures the data between selfcheck or automated materials handling systems and the ILS is encrypted.
- Protect the data on RFID tags by the most secure means available, including [encryption](#) or [context-aware defenses](#) to prevent RFID eavesdropping.
- Limit the bibliographic information stored on a tag to a unique identifier for the item (e.g., barcode number, record number, etc.). Use the security bit on the tag if it is applicable to your implementation.
- Block the public from searching the catalog by whatever unique identifier is used on RFID tags to avoid linking a specific item to information about its content.
- Train staff not to release information about an item's unique identifier in response to blind or casual inquiries.
- Store no personally identifiable information on any RFID tag. Limit the information stored on RFID-enabled borrower cards to a unique identifier.
- Label all RFID tag readers clearly so users know they are in use.
- Keep informed about changes in RFID technology, and review policies and procedures in light of new information.
- Enable user barcode and pin authentication for all self-service systems to prevent basic data breaches.

Talking to Vendors about RFID

When dealing with vendors, librarians should:

- Assure that vendor agreements guarantee library control of all data and records and stipulate how the system will secure all information.
- Investigate closely vendors' assurances of library users' privacy.
- Evaluate vendor agreements in relationship with all library privacy policies and local, state, and federal laws.
- Influence the development of RFID technology by issuing Requests for Proposals requiring the use of security technology that preserves privacy and prevents monitoring.

The Request For Information developed by the [San Francisco Public Library](#) provides a helpful list of sample questions ([Appendix B](#); PDF) to ask when talking to vendors about privacy and their RFID products.

Citations

1. Ferguson, Stuart & Thornley, Clare & Gibb, Forbes. (2014). How do libraries manage the ethical and privacy issues of RFID implementation? A qualitative investigation into the decision-making processes of ten libraries. *Journal of Librarianship and Information Science*. 47. 10.1177/0961000613518572.

Education and Information Literacy: An Interpretation of the *Library Bill of Rights*

Intellectual freedom is the right of every individual to both seek and receive information from all points of view without restriction. Education and information literacy¹ are fundamental to the mission of libraries of all types and form the foundation of intellectual freedom. Libraries provide access to information and ideas through their facilities, resources, and services. Libraries foster the ability to use those resources through educational programs and instruction.

The value and importance of intellectual freedom and its relationship to education is widely recognized in the “Universal Declaration of Human Rights” adopted by the United Nations in 1948. These principles align closely with the American Library Association’s *Library Bill of Rights*.

The importance of intellectual freedom is expressed in both documents, and the necessity of education to the development of intellectual freedom is specifically discussed in Article 26 of the “Universal Declaration of Human Rights”:

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial, or religious groups, and shall further the activities of the United Nations for the maintenance of peace.²

The *Library Bill of Rights* “affirms that all libraries are forums for information and ideas,” making them resources for facilitating education, encouraging curiosity, seeking knowledge, and further expanding the principles of intellectual freedom.

Access to information reflecting a variety of viewpoints is listed as the first principle in Article 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.

Article II of the *Library Bill of Rights* emphasizes the importance of fostering access to information by providing resources that allow users to evaluate content and context, and to find information representing multiple viewpoints:

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.

Libraries and library workers foster education and lifelong learning by promoting free expression and facilitating the exchange of ideas among users.³ Libraries use resources, programming, and services to strengthen access to information and thus build a foundation of intellectual freedom. In their roles as educators, library workers create an environment that nurtures intellectual freedom in all library resources and services by doing the following:

- developing collections and services representative of multiple perspectives that empower individuals to explore broadly when pursuing their own interests
- providing programming through a variety of formats that accommodates multiple methods of learning and expands opportunities to discover, respond to, and create ideas
- leading instruction framed around information literacy skills and critical thinking
- supporting the development of skills necessary to effectively evaluate the accuracy of content and identify false or misleading information
- advocating for the appreciation of diverse voices and using the library to explore unfamiliar or controversial concepts

Through engaging in these educational services, libraries encourage individuals to explore ideas; discover, access, and evaluate information; draw meaning from information presented in a variety of formats; develop valid conclusions; and express new ideas. By offering these services, libraries facilitate access to information and offer a path to a robust appreciation of intellectual freedom rights and the value of libraries as cornerstones of education in the communities they serve.

1. [“Evaluating Information: Information Literacy,”](#) American Library Association, March 18, 2019. “To be information literate, a person must be able to recognize when information is needed and have the ability to locate, evaluate, and use effectively the needed information.” — ALA Presidential Committee on Information Literacy, January 10, 1989

2. "[Universal Declaration of Human Rights](#)," Article 26, United Nations General Assembly, December 10, 1948.
3. "[The Universal Right to Free Expression: An Interpretation of the *Library Bill of Rights*](#)," adopted January 16, 1991, by the ALA Council; amended on July 1, 2014. "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 without interference and without compromising personal privacy."

Adopted July 15, 2009, by the ALA Council; amended July 1, 2014. Revisions proposed for ALA Annual Conference 2019.

Economic Barriers to Information Access: An Interpretation of the *Library Bill of Rights*

The essential mission of a publicly funded library is to provide free, equal, and equitable access to information in all its forms. While the roles, goals, and objectives of publicly supported libraries may differ, they all share this common mission. Just as economic issues may challenge the library's ability to meet its mission, economic barriers may also threaten user access.

Those who work in libraries and serve on their governing bodies sometimes face economic pressures and competition for funding but must remain committed to the library's essential mission. To sustain this mission, the American Library Association has enumerated certain principles of library services in the *Library Bill of Rights* and associated policy statements.

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 fundamentally opposes the creation of economic barriers to access services and resources provided by publicly funded libraries, including public, school, and academic libraries. All resources provided directly or indirectly by the library, regardless of format or method of delivery, should be readily and equitably accessible to all library users. Imposing any financial barrier may disadvantage users, and libraries of all types—public, school, and academic—should consider eliminating barriers that limit access to library resources and other services.

Libraries should systematically monitor their programs and services for potential barriers to access and strive to eliminate them when they occur. Libraries should design and implement

services with care so as not to infringe upon access to or delivery of information and resources for all users. Services should be reevaluated regularly to ensure that the library's essential mission remains uncompromised.

The "[Resolution on Monetary Library Fines as a Form of Social Inequity](#)" states that monetary library fines create a barrier to the provision of library and information services.¹ Libraries should examine policies and procedures, particularly those involving fines, fees, or other user charges, and actively move toward eliminating any that may create potential barriers to access or academic achievement. If a library has a policy to charge a user for lost, stolen, or willfully damaged materials or property, it should consider waiving or reducing the cost, at its discretion, based on that user's ability to pay. Likewise the library should consider a user's ability to pay when it charges a flat annual fee for borrowing privileges to people living outside the tax-support area of the library.

Economic barriers are not limited solely to financial constraints and a user's ability to pay fines or fees. Many policies and procedures may disproportionately harm those having financial difficulties, experiencing homelessness, or those from marginalized communities. These policies may include those related to personal belongings, hygiene requirements, verification of a permanent address, access to an email account or computer. Such policies and procedures effectively abridge or deny access for some members of the community because they reinforce distinctions among users.

Libraries and their governing bodies should look for alternative models and methods of administration that minimize distinctions among users based on their economic status. They should resist imposing user fees to alleviate financial pressures on the library, as those fees may impose a long-term cost to institutional integrity and public confidence in libraries. Likewise, they should not enact policies that cater to the desires of the economically fortunate at the expense of the economically unfortunate.

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

Libraries and their governing bodies should carefully examine terms or conditions attached to library funding and should oppose conditions that might limit equal or equitable access to content. This principle applies equally to private gifts or bequests and to public funds. In particular, libraries and their governing bodies have an obligation to reject such restrictions when the effect of the restriction is to limit access to information.

Libraries and their governing bodies should cooperate with efforts to create a community consensus that publicly supported libraries require funding unfettered by conditions that limit equal or equitable access to content. Such a consensus supports the library mission to provide the free and unrestricted exchange of information and ideas.

1. [“Resolution on Monetary Library Fines as a Form of Social Inequity,”](#) adopted by ALA Council January 28, 2019.

Adopted June 30, 1993, by the ALA Council. Revisions proposed for ALA Annual Conference 2019.

User-Initiated Exhibits, Displays, and Bulletin Boards: An Interpretation of the *Library Bill of Rights*

Libraries may offer spaces for exhibits, displays, and bulletin boards in physical or digital formats as a benefit for their communities. The use of these spaces should conform to the American Library Association's *Library Bill of Rights*, which states:

- “Materials should not be excluded because of the origin, background, or views of those contributing to their creation.” (Article I)
- “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” (Article II)
- “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.” (Article VI)

Libraries are not required to make space available to community groups or individuals for exhibits, public displays, notices, pamphlets, or flyers. However, if they do, they should post a permanent notice stating that these spaces are available as a service for the public and are not necessarily reflective of the library's viewpoint.

Libraries should have written policies that are content-neutral (do not pertain to the content of the display or to the identity, beliefs, or affiliations of the sponsors), clearly defined, and applied equally, and that address any time, place, and manner restrictions. Policies should be inclusive rather than exclusive. For example, a policy that the library's space is “open to organizations

engaged in educational, cultural, intellectual, or charitable activities” is an inclusive statement about the limited uses of the space.

Those who object to the content should be able to request a reconsideration, similar to challenging any library resource. Library workers should not censor or remove materials from exhibits, displays, or areas designated for the distribution of information because someone may disagree with the content or with the identity, beliefs, or affiliations of the sponsors.

Adopted July 2, 1991, by the ALA Council; amended June 30, 2004, and July 1, 2014. Revisions proposed for ALA Annual Conference 2019.

Access to Digital Resources and Services: An Interpretation of the *Library Bill of Rights*

The fundamental mission of libraries is to provide access to information, regardless of content or format, to everyone. Digital resources and services, or resources and services made primarily available online or on digital devices, are integral to libraries' mission in the twenty-first century. Libraries are important points of access to many digital resources and services, including, but not limited to, computers, the Internet, and digital resources and tools. In order to provide access to digital resources and services while upholding the *Library Bill of Rights*, libraries must consider intellectual freedom principles and issues of equity to ensure that access to information is enhanced, not restricted, by digital technology.

Libraries should regularly review issues arising from digital creation, distribution, retrieval, and archiving of information. Any review of these issues should consider users' First Amendment rights, rights to privacy, and the core values of librarianship as expressed in the *Library Bill of Rights* and the *Code of Ethics of the American Library Association*. Many people lack access or the capability to use or create digital resources effectively. There is a need for places where people can access, use, or create information without impediment. It is the responsibility of libraries to provide access to digital resources and services and to mitigate all barriers, whether they are economic, educational, or political. The provision of access does not imply sponsorship or endorsement by the library. Libraries should resist all attempts by individuals, governments, and private entities to censor or limit access to digital resources or services.

In making decisions about how to offer access to digital resources, services, tools, physical equipment, and networks, each library should consider intellectual freedom principles and issues of equity in the context of its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library policies, procedures, or regulations relating to digital resources and services should be scrutinized for potential violations of user rights. User policies should be developed according to the policies and guidelines established by the American Library Association.¹

Users' access to digital resources and services should not be restricted or denied for expressing, receiving, creating, or participating in 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, utilized, or created digitally is constitutionally protected unless determined otherwise by a court of competent jurisdiction. These rights extend to minors as well as adults.² Libraries should use technology to enhance, not deny, digital access. 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, use, and create information effectively.

All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use.³ The library should uphold these rights by policy, procedure, and practice in accordance with Article VII of the *Library Bill of Rights*. The library should regularly maintain its systems and networks in order to protect users' rights to privacy and confidentiality. As libraries increasingly provide access to digital resources through third-party vendors, libraries have a responsibility to hold vendors accountable for protecting patrons' privacy.

Equity of Access

The digital environment provides expanding opportunities for everyone to participate in the information society, but individuals may face serious barriers to access. These barriers, often referred to as the digital divide, may include a lack of infrastructure for Internet connectivity, lack of tools (hardware or software), and lack of skills, knowledge, or means necessary to access digital resources.⁴ Libraries should be cognizant of the digital divide and work to minimize it as they provide access to digital resources for their communities.

Digital resources, services, training, and networks provided directly or indirectly by the library should be 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 support from public funds.⁵ Libraries should develop policies concerning access to digital resources. These policies should be consistent with ALA's policies and guidelines. When new digital resources are provided to library users, libraries have an obligation to provide equitable training opportunities to library users and workers in using those new resources. Training should also address privacy and security issues that accompany the use of digital resources and services.

Information Resources and Access

Libraries, acting within their mission and objectives, should 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 digitally. Libraries have an obligation to provide access to government information available in digital format.

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Some information accessed digitally may not meet a library's selection or collection-development policy. It is, therefore, left to each user to determine what is appropriate. Libraries and library workers should not deny or limit access to digital resources because of their allegedly controversial content or because of a library worker's

personal beliefs or fear of confrontation. Furthermore, libraries and library workers should not deny access to digital resources solely on the grounds that they are perceived to lack value. Parents and legal guardians who are concerned about their children's use of digital resources should provide guidance to their own children.

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*.⁶ 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 and confidential manner. Minors also retain the right to access constitutionally protected information and, at a minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely and confidential manner. In order to ensure user privacy and confidentiality, records of these requests should not contain personally identifiable information. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.⁷

Digital resources and services allow libraries to significantly expand the scope of information available to users. Like all resources and services provided by the library, provision of access to digital resources and services should follow the principles outlined in the *Library Bill of Rights* to ensure equitable access regardless of content or platform.

1. "[Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities](#)," adopted June 28, 1994 by the ALA Intellectual Freedom Committee; revised January 19, 2005; March 29, 2014.
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. "Privacy: An Interpretation of the *Library Bill of Rights*," adopted June 19, 2002, by the ALA Council; amended on July 1, 2014.
4. Martin Hilbert, "The End Justifies the Definition: The Manifold Outlooks on the Digital Divide and Their Practical Usefulness for Policy-Making," *Telecommunications Policy* 35, no. 8 (2011): 715-736. <https://doi.org/10.1016/j.telpol.2011.06.012>
5. "Economic Barriers to Information Access: An Interpretation of the *Library Bill of Rights*," adopted June 30, 1993, by the ALA Council.
6. "Internet Filtering: An Interpretation of the *Library Bill of Rights*," adopted June 30, 2015, by the ALA Council.
7. "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).

Adopted January 24, 1996; amended January 19, 2005; and July 15, 2009, by the ALA Council.

References to cited policies have been updated on November 6, 2018.

Evaluating Library Collections: An Interpretation of the *Library Bill of Rights*

Libraries continually develop their collections by adding and removing resources to maintain collections of current interest and usefulness to their communities. Libraries should adopt collection development and maintenance policies that include criteria for evaluating materials. Reasons for inclusion or removal of materials may include but are not limited to accuracy, currency, budgetary constraints, relevancy, content, usage, and community interest. The collection-development process is not to be used as a means to remove materials or deny access to resources on the grounds of personal bias or prejudice or because the materials may be viewed as controversial or objectionable. Doing so violates the principles of intellectual freedom and is in opposition to the *Library Bill of Rights*.

Some resources may contain views, opinions, and concepts that were popular or widely held at one time but are now considered outdated, offensive, or harmful. Content creators may also come to be considered offensive or controversial. These resources should be subject to evaluation in accordance with collection-development and collection-maintenance policies. The evaluation criteria and process may vary depending on the type of library. While weeding is essential to the collection-development process, the controversial nature of an item or its creator should not be the sole reason to remove any item from a library's collection. Rather than removing these resources, libraries should consider ways to educate users and create context for how those views, opinions, and concepts have changed over time.

Failure to select resources merely because they may be potentially controversial is censorship, as is withdrawing resources for the same reason. Library workers should consider the cataloging,

classification, and display of resources to ensure that they are discoverable and readily available to the populations they are meant to serve.

The American Library Association opposes censorship from any source, including library workers, faculty, administration, trustees, and elected officials. Libraries have a profound responsibility to encourage and support intellectual freedom by making it possible for the user to choose freely from a variety of offerings.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; June 2, 2008. Revisions proposed for ALA Annual Conference 2019.

Access to Library Resources and Services for Minors: An Interpretation of the *Library Bill of Rights*

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's *Library Bill of Rights*. The American Library Association opposes all attempts to restrict access to library services, resources, 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, resources, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This applies to minors who do not have a parent or guardian available to sign a library-card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, resources, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and use of them should be determined on an individual basis. Equitable access to all library resources and

services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials 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, social media, online applications, games, technologies, programming, 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 Libraries and their 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.

Article VII of the *Library Bill of Rights* states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.³

The mission, goals, and objectives of libraries cannot authorize libraries and their 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."⁴ Libraries and their governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure 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, resources, or facilities should so advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, 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. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

1. *Brown v. Entertainment Merchants Association, et al.* 564 U.S. 08-1448 (2011).
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).
3. "[Privacy: An Interpretation of the Library Bill of Rights](#)," adopted June 19, 2002, by the ALA Council; amended on July 1, 2014.
4. "[Libraries: An American Value](#)," adopted on February 3, 1999, by ALA Council.
5. "[Rating Systems: An Interpretation of the Library Bill of Rights](#)," adopted on June 30, 2015, by ALA Council.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 under previous name "Free Access to Libraries for Minors"; and July 1, 2014. Revisions proposed for ALA Annual Conference 2019.

Rating Systems: An Interpretation of the *Library Bill of Rights*

Libraries, no matter their size, contain an enormous wealth of viewpoints and are responsible for making those viewpoints available to all. However, libraries do not advocate or endorse the content found in their collections or in resources made accessible through the library. Rating systems are tools or labels devised by individuals or organizations to advise people regarding suitability or content of materials. Rating systems appearing in library catalogs or discovery systems present distinct challenges to intellectual freedom principles.

Creators of rating systems assume that individuals or groups exist who can determine what is appropriate or inappropriate for others. They also assume that individuals want or need direction in making decisions about the materials or resources they use. While the creation and publication of such systems is protected by the First Amendment's right to free speech, the American Library Association also affirms the rights of individuals to form their own opinions about the information that they consume.

Libraries' explicit or implicit adoption, enforcement, or endorsement of any of these rating systems violates the *Library Bill of Rights* and may be unconstitutional if used to prevent an individual's access to materials or resources. If enforcement of rating systems is mandated by law, the library should seek legal advice regarding the law's applicability to library operations.

Libraries often acquire resources, such as DVDs and video games, that include ratings as part of their publication materials. Library workers should not endorse the inclusion of such rating systems; however, removing or destroying the rating placed on the original item by the publisher, distributor, or copyright holder could constitute expurgation.¹

Because cataloging standards provide an opportunity for libraries to include ratings in their bibliographic records, many libraries have chosen to do so—some by acceptance of standard records containing such ratings and others by a desire to provide the maximum descriptive information available on a resource. Libraries are not required by cataloging best practices to provide this information. If they choose to do so, for whatever reason, they should cite the source of the rating and indicate that the library does not endorse external rating systems.

The inclusion of ratings in bibliographic records within library catalogs or discovery systems may be interpreted as an endorsement by the library. Therefore, without attribution, inclusion of such ratings is a violation of the *Library Bill of Rights*.

If libraries include information about rating systems on items or records, this information should not be used to restrict access to those materials based on the age of library users. Such a restriction may violate minors' First Amendment rights.²

That libraries do not endorse or advocate for the use of rating systems does not preclude them from answering questions about such systems. It is appropriate to provide access to sources containing information on rating systems in order to meet the specific information-seeking needs of individual users. The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read or view.

1. [“Expurgation of Library Resources: An Interpretation of the *Library Bill of Rights*,”](#) adopted February 2, 1973, by the ALA Council; amended July 1, 1981; January 10, 1990; July 2, 2008; and July 1, 2014.
2. *Enghahl v. City of Kenosha*, 317 F. Supp. 1133 (E.D. Wis. 1970); *Motion Picture Association of America v. Specter*, 315 F. Supp. 824 (E.D. Pa. 1970); *Swope v. Lubbers*, 560 F.Supp. 1328 (W.D. Mich. 1983); and *Rosen v. Budco*, 10 Phila. 112 (1983).

Adopted on June 30, 2015, by ALA Council. Revisions proposed for ALA Annual Conference 2019.

Intellectual Freedom Advocacy and Education

As members of the American Library Association, we recognize intellectual freedom as a universal human right.¹ This right ensures free access to seek and receive information and expression of ideas from all points of view without restriction for every individual of any age, ability, socioeconomic status, religious affiliation, race, ethnicity, sexual orientation, gender identity, or other form of identity or status. The *Library Bill of Rights* and *Code of Ethics of the American Library Association* express core values of our profession and affirm the primacy of intellectual freedom for full participation in a just, equitable, and informed society. We acknowledge our professional obligation to actively defend intellectual freedom rights and to protect the privacy and confidentiality of library users. We advocate for intellectual freedom and strive to educate ourselves, library users, the communities we serve, and the broader society about intellectual freedom and related topics, including privacy, information literacy, and inclusion.

1. ALA Policy B.2.1.13, Universal Right to Free Expression