



Terms and Definitions Related to Intellectual Freedom & Censorship

Terms and terminology are a powerful tool when their definitions are misused, re-written, or conflated. The present climate requires we clearly define the language, especially to understand and defend intellectual freedom and censorship challenges. This collection of assembled terms and phrases strives to provide clarity, relying where possible on other American Library Association (ALA) glossaries for consistency. Additional notes within definitions may suggest how terms are being misapplied or used as a signal to others with the same agenda. We welcome your feedback and suggestions to refine what is presented here; email united@ala.org.

Anti-racist curriculum - For many educators, teaching through an anti-racist lens means helping students understand racism's origins and guises, past and present, so they can act to disrupt White supremacy. (NEA: <https://www.nea.org/advocating-for-change/new-from-nea/teaching-anti-racist-lens>)

Ban - A removal of materials from a library based on the objections of a person or group. Sometimes the ban is a decision made by a committee, and other times an administrator or staff member removes books without following a library's policy.

Censorship - A decision made by a governing authority or its representative(s) to suppress, exclude, expurgate, remove, or restrict public access to a library resource based on a person or group's disapproval of its content or its author/creator. See also Challenge.

Challenge - "An attempt to have a library resource or program removed or access to it restricted, based on the objections of a person or group. Challenges do not simply involve a person expressing a point of view; rather, they are an attempt to remove material from the curriculum or library, thereby restricting the access of others. Challenges sometimes lead to censorship."

CIPA - Acronym for the Children's Internet Protection Act (P.L. 106-554). CIPA places restrictions on the use of funding for internet access that is available through the Universal Service E-rate discount program and the Library Services and Technology Act (LSTA) to public schools and public libraries. CIPA requires funding recipients to adopt internet safety policies and use filtering software that blocks or filters certain visual images from being accessed through the internet.

***Note: it is important to understand how filtering software works and how it is maintained (especially in your library), as laypersons most often do not.**

Compelling government interest - A term used by courts when assessing the burden of government regulation or action upon the exercise of a fundamental right such as freedom of speech. For such a rule to withstand constitutional challenge, the government must show more than a merely important reason for the rule. The reason for the rule must be compelling; that is, it must be so important that it outweighs even the most valued and basic freedom it negatively affects.

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Complaint - When a patron expresses concern about the appropriateness of a library program, service, or material. Some complaints are resolved with a simple conversation with the librarian. A complaint does not necessarily trigger the full Reconsideration Procedure.

Confidentiality - A condition in which personally identifiable information is not shared without the consent of the user or as required by law. In a library setting, confidentiality exists when the library is in possession of personally identifiable information about users and keeps that information private on their behalf.

Content-neutral restrictions - Constitutionally permissible restrictions on expression that apply uniformly to all speech regardless of the subject matter discussed or the topic addressed by the speaker. Public libraries, like all government agencies, may not silence speakers based on the content or topic of their speech or due to controversy. See also Viewpoint-neutral Restrictions.

COPPA - Acronym for the Children's Online Privacy Protection Act (15 U.S.C. § 6501; 16 CFR § 312), which includes provisions requiring commercial online content providers who either have actual knowledge that they are dealing with a child under thirteen years of age or who aim their content at children to obtain verifiable parental consent before they can collect, archive, use, or resell any personal information pertaining to that child.

Crisis communication - The means by which an organization provides information to stakeholders and their community during and regarding a negative or challenging situation that could harm the reputation or operation of the organization or institution. In essence, the way a library communicates information about a negative situation, conflict or crisis internally and externally.

***Note: A coherent plan for Crisis Communication should be made to cover any situation: who (role rather than name) will be consulted; who will write the content; how will the information be disseminated; etc. No organization wants multiple potentially inconsistent announcements released.**

<https://pagecentertraining.psu.edu/public-relations-ethics/ethics-in-crisis-management/lesson-1-prominent-ethical-issues-in-crisis-situations/crisis-communication/>

Critical race theory (CRT) - A framework and/or analytical tool primarily used in university-level courses. Originating in the 1970s, CRT was first used as a way to help law students think critically about the impact of historical and present-day racism on the legal system. In the 1990s, some colleges of education also started incorporating CRT into their coursework to help aspiring school administrators and teachers better understand inequities in the context of education. <https://www.tasb.org/services/legal-services/tasb-school-law-esource/instruction/documents/critical-race-theory.pdf> Critical race theory (CRT) is not part of the social studies curriculum at the k12 level.

***Note: Critics of intellectual freedom or an anti-racist curriculum often bucket anything pertaining to a non-white perspective or experience (fiction or nonfiction) as CRT.**



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Culturally responsive teaching (also CRT) [sometimes **Culturally responsive instruction**] - Connects students' cultures, languages, and life experiences with what they learn in school to help students access rigorous curriculum and develop higher-level academic skills. Culturally responsive teaching (CRT) works to bridge the gap between teacher and student by helping the teacher understand the cultural nuances that may affect a student's ability to understand and learn.

Censorship - The suppression of ideas and information that certain persons—individuals, groups or government officials—find objectionable or dangerous. It is no more complicated than someone saying, “Don’t let anyone read this book, or buy that magazine, or view that film, because I object to it!” Censors try to use the power of the state to impose their view of what is truthful and appropriate, or offensive and objectionable, on everyone else. Censors pressure public institutions, like libraries, to suppress and remove from public access information they judge inappropriate or dangerous, so that no one else has the chance to read or view the material and make up their own minds about it. The censor wants to prejudge materials for everyone.

What Is The Relationship Between Censorship And Intellectual Freedom? In expressing their opinions and concerns, would-be censors are exercising the same rights librarians seek to protect when they confront censorship. In making their criticisms known, people who object to certain ideas are exercising the same rights as those who created and disseminated the material to which they object. Their rights to voice opinions and try to persuade others to adopt those opinions is protected only if the rights of persons to express ideas they despise are also protected. The rights of both sides must be protected, or neither will survive.

Community standards - A challenging term to define, as courts have sought to recognize both national and local standards with little success. Many organizations have established a shared set of “Community Standards” that guide their work and decisions.

Disinformation - “deliberately misleading or biased information; manipulated narrative or facts; propaganda.” Dictionary.com

Diversity - The sum of the ways that people are both alike and different. Visible diversity is generally those attributes or characteristics that are external. However, diversity goes beyond the external to internal characteristics that we choose to define as ‘invisible’ diversity. Invisible diversity includes those characteristics and attributes that are not readily seen. When we recognize, value, and embrace diversity, we are recognizing, valuing, and embracing the uniqueness of each individual. ([ODLOS Glossary of Terms](#); Adapted from [National Education Association](#))

Equal and equitable access to information and services - An approach to operating that ensures that everyone the library serves is entitled to the same level of access to information and services and that all have the opportunity to avail themselves of that access if they so choose. “Equal” access refers to uniform access to information and services. “Equitable” access refers to just and fair access, taking into consideration the facts and circumstances of the individual case. Access to information and services is equal and equitable when there is a level playing field for everyone.



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Equity - Not the same as formal equality. Formal equality implies sameness. Equity, on the other hand, assumes difference and takes difference into account to ensure a fair process and, ultimately, a fair (or equitable) outcome. Equity recognizes that some groups were (and are) disadvantaged in accessing educational and employment opportunities and are, therefore, underrepresented or marginalized in many organizations and institutions. The effects of that exclusion often linger systemically within organizational policies, practices, and procedures. Equity, therefore, means increasing diversity by ameliorating conditions of disadvantaged groups. ([ODLOS Glossary of Terms](#); Adapted from National Association of Social Workers)

E-Rate: Universal Service Program for Schools and Libraries - Makes telecommunications and information services more affordable for schools and libraries. With funding from the Universal Service Fund (fcc.gov/general/universal-service-fund), E-Rate provides discounts for telecommunications, Internet access, and internal connections to eligible schools and libraries. Eligible schools and libraries may receive discounts on telecommunications, telecommunications services, and Internet access, as well as internal connections, managed internal broadband services and basic maintenance of internal connections.

Discounts range from 20 to 90 percent and are based on the poverty level of the schools. Rural schools and libraries may also receive a higher discount. Recipients must pay some portion of the service costs.

According to the CIPA law, libraries that receive E-Rate discounts are required to implement library-based tools to prevent underage users from accessing content that is harmful to minors.

The ALA unsuccessfully challenged this law in the early 2000s: <https://www.ala.org/advocacy/advleg/federallegislation/cipa/cipalegalfaq>

Exploitation - Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct. (18 U.S. Code § 2251 - Sexual exploitation of children: <https://www.law.cornell.edu/uscode/text/18/2251>)

Expurgation - The excision, alteration, editing, or obliteration of any part(s) of books or other library resources for the purposes of censorship.

Extralegal pressure - Threat of legal action or pressure by community members or organized groups that results in the banning of library materials. The term also refers to requests from law enforcement without a proper court order and actions taken by persons in positions of authority (e.g., mayors, elected officials, school officials) to remove or restrict access to library materials or services without following library policies and procedures.



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Fake news - “purposefully crafted, sensational, emotionally charged, misleading or totally fabricated information that mimics the form of mainstream news” [Fake News: Understanding Media and Misinformation in the Digital Age](#) (back cover).

FERPA - Acronym for the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99), which controls the disclosure of a student’s educational records and information and gives parents and students the right to inspect and correct their educational records. The act applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Filtering software - A “technology protection measure,” the use of which is intended to block access to particular kinds of online content. CIPA requires public schools and libraries accepting funds for internet access through the Universal Service E-rate discount program and the Library Services and Technology Act (LSTA) to certify that they have adopted an internet safety policy that includes the use of filtering software to keep adults from accessing visual images online that are deemed obscene or child pornography. The filtering software must also block minors’ access to images that are harmful to minors.

Harmful to minors - Sexually explicit materials that adults have a legal right to access but that lack any serious literary, artistic, political, or scientific value for minors. It is illegal to knowingly distribute such materials to any minor. Not all states have harmful to minors laws, and the coverage varies significantly in states that do. Also, some state laws stipulate that in any prosecutions of organizations or individuals alleged to have provided content deemed harmful to minors, being a library or library worker is an affirmative defense.

Hate group - A social group that advocates and practices hatred, hostility, or violence toward a group or individual based upon their race, ethnicity, nation, religion, gender, gender identity, sexual orientation, or any other designation of society.

Hate speech - Abusive or threatening speech or writing that expresses prejudice against a particular group, especially on the basis of race, religion, or sexual orientation. “Hate speech” doesn’t have a legal definition under U.S. law, and is protected under the First Amendment. It can be criminalized only when it directly incites imminent criminal activity or consists of specific threats of violence targeted against a person or group.

Inclusion - an environment in which all individuals are treated fairly and respectfully; are valued for their distinctive skills, experiences, and perspectives; have equal access to resources and opportunities; and can contribute fully to the organization’s success. ([ODLOS Glossary of Terms](#); Adapted from [Society for Human Resources Management](#), [Hewlett Packard](#), and [Ferris State University](#))

Inclusivity - the effort by libraries to include as many age-appropriate perspectives as possible on the diversity of human experience as well as to welcome all members of the library community to access the diverse and inclusive collection.



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Intellectual freedom - The right of every individual to both seek and receive information from all points of view, without restriction. It provides for free access to all expressions of ideas through which any and all sides of a question, cause or movement may be explored. <https://www.ala.org/advocacy/intfreedom/censorship/faq>

Internal challenge - a request by library management to reconsider currently available materials, often without following the full posted Selection and Reconsideration Policies. This kind of challenge is closely related to **Self-Censorship** and **Silent Censorship** (see below).

LGBTQ - LGBTQ is an acronym for lesbian, gay, bisexual, transgender and queer or questioning. These terms are used to describe a person's sexual orientation or gender identity.

***Note: A number of states have and are crafting legislation to suppress content that may "promote, normalize, support, or address controversial social issues, such as lesbian, gay, bisexual, and transgender (LGBT) lifestyles."**

Critics of intellectual freedom often consider work representing LGBTQ lives or perspectives as a violation of their community standards.

Misinformation - "False information that is spread, regardless of whether there is intent to mislead." Dictionary.com

Neutrality - The idea that libraries should remain ideologically neutral spaces to ensure all patrons' access to any information they please, regardless of their identity, status, background, or beliefs. The reasoning of those who support libraries' neutrality is that by not offering any opinion or perspective, libraries create spaces where all members of the community can feel safe accessing materials, even if their beliefs contradict hegemonic ideologies. <https://hacklibraryschool.com/2020/02/25/libraries-should-take-sides/>

Today, there is discussion and sometimes critique of the term in recognition that libraries have always reflected the dominant culture in which they exist, which has been inherently not neutral.

Obscenity - Obscenity is defined as anything that fits the criteria of the Miller test (from [Miller v. California, 413 U.S. 15, 24, 93 S. Ct. 2607, 2615, 37 L. Ed. 2d 419 \(1973\)](#)) which may include, for example, visual depictions, spoken words, or written text.

Miller Test - The **three-pronged** Miller test is as follows:

1. Whether the average person, applying contemporary adult community standards, finds that the matter, taken as a whole, appeals to prurient interests (i.e., an erotic, lascivious, abnormal, unhealthy, degrading, shameful, or morbid interest in nudity, sex, or excretion);
2. Whether the average person, applying contemporary adult community standards, finds



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that the matter depicts or describes sexual conduct in a patently offensive way (i.e., ultimate sexual acts, normal or perverted, actual or simulated, masturbation, excretory functions, lewd exhibition of the genitals, or sado-masochistic sexual abuse); and

3. Whether a reasonable person finds that the matter, taken as a whole, lacks serious literary, artistic, political, or scientific value. (<https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-obscenity>)

Any material that satisfies **all three conditions** of this three-pronged test may be found obscene. However, it should be noted that only a court can truly label material “obscene” for purposes of the First Amendment. Generally, if an item is available for purchase in the general marketplace, it is unlikely to meet the criteria of the Miller Test.

Parental rights - Any parent has the right to request that any library prevent access by the children of their own family to specific resources or types of resources. No parent has the right to affect the access of any other children than their own to any library resources. Despite current efforts in state legislatures, no further laws are needed to enact these rights.

Personally identifiable information (PII) - Information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Pornography - A colloquial term referring to the portrayal of sexual imagery or behavior in books, photographs, motion pictures, videos, and other media that is intended to cause sexual excitement. In more recent times, has been extended to any item or image intended to incite desire (e.g., “food porn”). The decision about what is pornographic is largely subjective and reflects changing community standards and the subjective views of the individual. Imagery that might be considered merely erotic or even religious in one society may be condemned as pornographic in another. Under U.S. law, “pornography” has no legal definition. Instead, courts and legislatures identify illegal sexually themed content as “**obscenity**,” which is defined by statute in federal and state law.

- printed or visual material containing the explicit description or display of sexual organs or activity, intended to stimulate erotic rather than aesthetic or emotional feelings. (dictionary)
- material that depicts nudity or sexual acts for the purpose of sexual stimulation.
- Numerous states have laws that make it a crime to distribute, display, or provide obscene, pornographic, or sexually explicit content to minors. Some of these laws specifically exempt Teachers and library staff from prosecution if the material(s) were provided to or obtained by the minor(s) in the course of the library staff performing their duties, or as part of an approved school curriculum. Library directors and boards, as well as teachers, should determine if their state has a similar law, and if that law contains an exemption from prosecution that applies to them.

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- Some consider anything related to human reproduction or gender identity to be pornography, but that misconception holds no legal standing.

Privacy - “All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use.” “The right to privacy includes the right to open inquiry without having the subject of one’s interest examined or scrutinized by others, in person or online. Confidentiality exists when a library is in possession of personally identifiable information about its users and keeps that information private on their behalf.” [Privacy: An Interpretation of the Library Bill of Rights](#)

“Problematic” authors - Authors may be deemed problematic by a librarian or patron because they have written other works about controversial topics. Each book or other material should be considered on its own merit, and selected or not without concern for other work by the same author. One author may write for both young children and young adults; the work for older youth may have content not appropriate for the smallest patrons. Another author may write science non-fiction for a variety of ages, and include books about puberty. An adult author may choose to write an abridged edition of an adult title in order to encourage younger readers to engage with a topic appropriately.

Public forum - A “traditional public forum” is a government-owned place that has been traditionally available for public assembly, speech, and discussion (e.g., parks, sidewalks, and streets). A “designated or limited public forum” is a public place purposefully designated by the government, or established through tradition, as a place dedicated to a particular type of expression. A “nonpublic forum” is a place that is neither traditionally used for expressive activities nor set aside or opened up in a substantial way for expressive activities. Rules about what kinds of restrictions on speech may be legally imposed in a given place are based on the type of forum that has been established.

Reconsideration policy and procedure - The formal procedure available to patrons who wish a material removed from a library collection beginning with a complaint, then completion of the Reconsideration form detailing the claim, the committee membership who will consider the challenge, and the resolution of that claim as well as any possibilities for appeal. Also known as **Materials challenge policy**. A similar process may be initiated concerning library sponsored programs.

Request for reconsideration - A formal, written request that the library remove or restrict access to particular resources or programs, submitted on a form and invoking a formal, standardized review process by the library and/ or its governing body.

Selection/collection development policy - the policy guiding all selection and purchase decisions about library acquisitions: review source requirements, community standards, etc. These policies are generally approved by the school district, public library board, or other managing oversight body.

Self-censorship/silent censorship - Refer to librarian choices to not purchase new materials, to weed ones already available to patrons, or to not sponsor a program for fear of a challenge from the community. This type of unseen censorship potentially limits community access to information about topics to which



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a vocal minority might object and which a vulnerable minority may need. Also note **Internal Challenges** above.

Viewpoint-neutral restrictions - Constitutionally permissible restrictions on expression that apply uniformly to all speech regardless of the point of view expressed by the speaker. Public libraries, like all government agencies, may not silence speakers whom the government opposes or sanction only those whom the government supports, or silence particular speakers because of popular controversy. For example, libraries may not use filtering software to block or filter web content favoring same-sex marriage while allowing access to web content opposing or disparaging same-sex marriage. See also **Content-neutral restrictions**.

Weeding - The systematic removal of resources from a library based on selected criteria. It is the opposite of selecting material, though the selection and deselection of material often involve the same thought process. Weeding is not censorship; it is a vital process for an active collection because it ensures the collection stays current, relevant, and in good condition. Weeding should be done on a continuous, on-going basis. (Larson, Jeanette (2008), [CREW: A Weeding Manual for Modern Libraries, Revised and Updated](#) (PDF), Austin, TX: Texas State Library and Archives Commission, retrieved October 7, 2014.) A “well-maintained, well-pruned collection is far more useful than one filled with out-of-date or unused materials.” Lehman, Kathleen (2014), “Collection Development and Management”, *Library Resources & Technical Services*, 58 (3): 169–177, [doi:10.5860/lrts.58n3.169](https://doi.org/10.5860/lrts.58n3.169)

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