

## Library Bill of Rights

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

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

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

## Interpretations of the Library Bill of Rights

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Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices.

Following are those documents designated by the Intellectual Freedom Committee as Interpretations of the [Library Bill of Rights](#) and background statements detailing the philosophy and history of each. For convenience and easy reference, the documents are presented in alphabetical order. These documents are policies of the American Library Association, having been adopted by the [ALA Council](#).

[Access for Children and Young Adults to Nonprint Materials](#): 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."

[Access to Digital Information, Services, and Networks](#): Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information. Libraries and librarians protect and promote these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

[Access to Library Resources and Services for Minors \(previously named Free Access to Libraries for Minors\)](#): Library policies and procedures 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.

[Access to Library Resources and Services Regardless of Sex, Gender Identity, Gender Expression, or Sexual Orientation](#): The American Library Association stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation.

[Access to Resources and Services in the School Library Media Program](#): The school library media program plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem-solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shapes the resources and services of a school library media program, the principles of the Library Bill of Rights apply equally to all libraries, including school library media programs.

[Challenged Resources](#): The American Library Association declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined materials selection policy in written form that reflects the Library Bill of Rights, and that is approved by the appropriate governing authority.

[Diversity in Collection Development](#): Intellectual freedom, the essence of equitable library services, provides for free access to all expressions of ideas through which any and all sides of a question, cause, or movement may be explored. Toleration is meaningless without tolerance for what some may consider detestable. Librarians cannot justly permit their own preferences to limit their degree of tolerance in collection development, because freedom is indivisible.

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

[Evaluating Library Collections](#): The continuous review of library materials is necessary as a means of maintaining an active library collection of current interest to users. In the process, materials may be added and physically deteriorated or obsolete materials may be replaced or removed in accordance with the collection maintenance policy of a given library and the needs of the community it serves. Continued evaluation is closely related to the goals and responsibilities of all libraries and is a valuable tool of collection development. This procedure is not to be used as a convenient means to remove materials presumed to be controversial or disapproved of by segments of the community.

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

[Expurgation of Library Materials](#): Expurgation of Library Materials: Expurgating library materials is a violation of the Library Bill of Rights. Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part(s) of books or other library resources by the library, its agent, or its parent institution (if any).

[Importance of Education to Intellectual Freedom](#): Through education programming and instruction in information skills, libraries empower individuals to explore ideas, access, and evaluate information, draw meaning from information presented in a variety of formats, develop valid conclusions, and express new ideas. Such education facilitates intellectual access to information and offers a path to intellectual freedom.

[Internet Filtering](#): In the span of a single generation the Internet has revolutionized the basic functions and operations of libraries and schools and expanded exponentially both the opportunities and challenges these institutions face in serving their users. During this time many schools and libraries in the United States have installed content filters on their Internet access. They have done so for a variety of reasons, not least of which is the requirement to comply with the Children's Internet Protection Act (CIPA) in order to be eligible to receive federal funding or discounts through the Library Services and Technology Act, Title III of the Elementary and Secondary Education Act, and the Universal Service discount program (E-rate), or to comply with state filtering requirements that may also be tied to state funding. Their rationale for filtering is that it is better to have filtered access than no access.

[Intellectual Freedom Principles for Academic Libraries](#): A strong intellectual freedom perspective is critical to the development of academic library collections and services that dispassionately meet the education and research needs of a college or university community. The purpose of this statement is to outline how and where intellectual freedom principles fit into an academic library setting, thereby raising consciousness of the intellectual freedom context within which academic librarians work.

[Labeling Systems](#): The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access. Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, providing access to digital information does not indicate endorsement or approval of that information by the library. Labeling systems present distinct challenges to these intellectual freedom principles.

[Minors and Internet Interactivity](#): The digital environment offers opportunities both for accessing information created by others and for creating and sharing new information. The rights of minors to retrieve, interact with, and create information posted on the Internet in schools and libraries are extensions of their First Amendment rights.

[Library-Initiated Programs as a Resource](#): Library-initiated programs support the mission of the library by providing users with additional opportunities for information, education, and recreation.

[Meeting Rooms](#): Many libraries provide meeting rooms for individuals and groups as part of a program of service. Article VI of the Library Bill of Rights states that such facilities should be made available to the public served by the given library "on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use."

[Prisoners Right to Read](#): The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility.

[Privacy](#): Privacy is essential to the exercise of free speech, free thought, and free association. See also Questions and Answers on Privacy and Confidentiality.

[Rating Systems](#): 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 appearing in library public access catalogs or resource discovery tools present distinct challenges to these intellectual freedom principles.

[Restricted Access to Library Materials](#): Libraries are a traditional forum for the open exchange of information. Attempts to restrict access to library materials violate the basic tenets of the Library Bill of Rights.

[Services to People with Disabilities](#) (New as of the 2009 Midwinter Meeting in Denver, CO): ALA recognizes that persons with disabilities are a large and often neglected part of society. In addition to many personal challenges, some persons with disabilities face economic inequity, illiteracy, cultural isolation, and discrimination in education, employment, and the broad range of societal activities. The library plays a catalytic role in their lives by facilitating their full participation in society.

[The Universal Right to Free Expression](#): 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.

## Access for Children and Young Adults to Nonprint Materials

### An Interpretation of the *Library Bill of Rights*

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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.

## Access to Digital Information, Services, and Networks

An Interpretation of the *Library Bill of Rights*

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### Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.<sup>1</sup> Libraries and librarians protect and promote these rights regardless of the format or technology employed to create and disseminate information.

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

Libraries empower users by offering opportunities both for accessing the broadest range of information created by others and for creating and sharing information. Digital resources enhance the ability of libraries to fulfill this responsibility.

Libraries should regularly review issues arising from digital creation, distribution, retrieval, and archiving of information in the context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are upheld. Although digital information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it, many people lack access or capability to use or create digital information effectively.

In making decisions about how to offer access to digital information, services, and networks, each library should consider intellectual freedom principles 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 system and network policies, procedures, or regulations relating to digital information and services should be scrutinized for potential violation of user rights. User policies should be developed according to the policies and guidelines established by the American Library Association, including “Guidelines for the Development and Implementation of Policies, Regulations, and Procedures Affecting Access to Library Materials, Services, and Facilities.”

Users’ access should not be restricted or denied for expressing, 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 (“Free Access to Libraries for Minors”; “Access to Resources and Services in the School Library Media Program”; “Access for Children and Young Adults to Nonprint Materials”; and “Minors and Internet Interactivity”).<sup>2</sup>

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, and use information effectively.

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

## 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.

Digital information, services, and networks provided directly or indirectly by the library should be equally, readily, and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive support from public funds (50.3 "Free Access to Information"; 53.1.14 "Economic Barriers to Information Access"; 60.1.1 "Minority Concerns Policy Objectives"; 61.1 "Library Services for the Poor Policy Objectives"). All libraries should develop policies concerning access to digital information that are consistent with ALA's policies and guidelines, including "Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights," "Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities," and "Services to Persons with Disabilities: An Interpretation of the Library Bill of Rights."

## Information Resources and Access

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained 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. Libraries and librarians should not deny or limit access to digital information because of its allegedly controversial content or because of a librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to digital information solely on the grounds that it is 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. 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.

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

Digital resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to digital resources as much as they do to the more traditional sources of information in libraries ("Diversity in Collection Development").

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

2Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969); Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853, (1982); American Amusement Machine Association v. Teri Kendrick, 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

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

See Also: “Questions and Answers on Access to Digital Information, Services and Networks: An Interpretation of the Library Bill of Rights.”

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

## Access to Library Resources and Services for Minors

### An Interpretation of the *Library Bill of Rights*

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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.<sup>1</sup> 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.<sup>2</sup> 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; July 2, 2008 *under previous name* "Free Access to Libraries for Minors"; and July 1, 2014.

## Access to Library Resources & Services Regardless of Sex, Gender Identity, Gender Expression, or Sexual Orientation

### An Interpretation of the *Library Bill of Rights*

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

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

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

- Article I of the *Library Bill of Rights* states that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." The Association affirms that books and other materials coming from gay, lesbian, bisexual, and/or transgendered presses, gay, lesbian, bisexual and/or transgendered authors or other creators, and materials regardless of format or services dealing with gay, lesbian, bisexual and/or transgendered life are protected by the *Library Bill of Rights*. Librarians are obligated by the *Library Bill of Rights* to endeavor to select materials without regard to the sex, gender identity, or sexual orientation of their creators by using the criteria identified in their written, approved selection policies ([ALA policy 53.1.5](#)).
- Article II maintains that "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Library services, materials, and programs representing diverse points of view on sex, gender identity, gender expression, or sexual orientation should be considered for purchase and inclusion in library collections and programs. (ALA policies [53.1.1](#), [53.1.9](#), and [53.1.11](#)). The Association affirms that attempts to proscribe or remove materials dealing with gay, lesbian, bisexual, and/or transgendered life without regard to the written, approved selection policy violate this tenet and constitute censorship.
- Articles III and IV mandate that libraries "challenge censorship" and cooperate with those "resisting abridgement of free expression and free access to ideas."
- Article V holds that "A person's right to use a library should not be denied or abridged because of origin, age, background or views." In the *Library Bill of Rights* and all its Interpretations, it is intended that: "origin" encompasses all the characteristics of individuals that are inherent in the circumstances of their birth; "age" encompasses all the characteristics of individuals that are inherent in their levels of development and maturity; "background" encompasses all the characteristics of individuals that are a result of their life experiences; and "views" encompasses all the opinions and beliefs held and expressed by individuals. Therefore, Article V of the *Library Bill of Rights* mandates that library services, materials, and programs be available to all members of the community the library serves, without regard to sex, gender identity, gender expression, or sexual orientation. This includes providing youth with comprehensive sex education literature ( [ALA Policy 52.5.2](#)).
- Article VI maintains that "Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use." This protection extends to all groups and members of the community the library serves, without regard to sex, gender identity, gender expression, or sexual orientation.

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

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

## Access to Resources and Services in the School Library Media Program

An Interpretation of the *Library Bill of Rights*

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The school library plays a unique role in promoting, protecting, and educating about intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem-solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library, the principles of the American Library Association's *Library Bill of Rights* apply equally to all libraries, including school libraries. Under these principles, all students have equitable access to library facilities, resources, and instructional programs.

School librarians assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School librarians work closely with teachers to integrate instructional activities in classroom units designed to equip students to locate, evaluate, and use a broad range of ideas effectively. Intellectual freedom is fostered by educating students in the use of critical thinking skills to empower them to pursue free inquiry responsibly and independently. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School librarians cooperate with other individuals in building collections of resources that meet the needs as well as the developmental and maturity levels of students. These collections provide resources that support the mission of the school district and are consistent with its philosophy, goals, and objectives. Resources in school library collections are an integral component of the curriculum and represent diverse points of view on both current and historical issues. These resources include materials that support the intellectual growth, personal development, individual interests, and recreational needs of students.

While English is, by history and tradition, the customary language of the United States, the languages in use in any given community may vary. Schools serving communities in which other languages are used make efforts to accommodate the needs of students for whom English is a second language. To support these efforts, and to ensure equitable access to resources and services, the school library provides resources that reflect the linguistic pluralism of the community.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library have access to resources and services free of constraints resulting from personal, partisan, or doctrinal disapproval. School librarians resist efforts by individuals or groups to define what is appropriate for all students or teachers to read, view, hear, or access regardless of technology, formats or method of delivery.

Major barriers between students and resources include but are not limited: to imposing age, grade-level, or reading-level restrictions on the use of resources; limiting the use of interlibrary loan and access to electronic information; charging fees for information in specific formats; requiring permission from parents or teachers; establishing restricted shelves or closed collections; and labeling. Policies, procedures, and rules related to the use of resources and services support free and open access to information.

It is the responsibility of the governing board to adopt policies that guarantee students access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community, provide for a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. It is the responsibility of school librarians to implement district policies and procedures in the school to ensure equitable access to resources and services for all students.

Adopted July 2, 1986, by the ALA Council; amended January 10, 1990; July 12, 2000; January 19, 2005; July 2, 2008; and July 1, 2014.

## Challenged Resources

### An Interpretation of the *Library Bill of Rights*

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“Libraries: An American Value” states, “We protect the rights of individuals to express their opinions about library resources and services.” The American Library Association declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined written policy for collection development that includes a procedure for review of challenged resources. Collection development applies to print and media resources or formats in the physical collection. It also applies to digital resources such as databases, e-books and other downloadable and streaming media.

Content filtering is not equivalent to collection development. Content filtering is exclusive, not inclusive, and cannot effectively curate content or mediate access to resources available on the Internet. This should be addressed separately in the library’s acceptable use policy. These policies reflect the American Library Association’s *Library Bill of Rights* and are approved by the appropriate governing authority.

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

Therefore, any attempt, be it legal or extra-legal,<sup>2</sup> to regulate or suppress resources in libraries must be closely scrutinized to the end that protected expression is not abridged.

#### Notes

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

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

Adopted June 25, 1971; amended July 1, 1981; January 10, 1990; January 28, 2009, and July 1, 2014, by the ALA Council.

# Diversity in Collection Development

## An Interpretation of the *Library Bill of Rights*

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Collection development should reflect the philosophy inherent in Article II of the American Library Association's *Library Bill of Rights*: "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval."

Library collections must represent the diversity of people and ideas in our society. There are many complex facets to any issue, and many contexts in which issues may be expressed, discussed, or interpreted. Librarians have an obligation to select and support access to content on all subjects that meet, as closely as possible, the needs, interests, and abilities of all persons in the community the library serves.

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

Collection development responsibilities include selecting content in different formats produced by independent, small and local producers as well as information resources from major producers and distributors. Content should represent the languages commonly used in the library's service community and should include formats that meet the needs of users with disabilities. Collection development and the selection of content should be done according to professional standards and established selection and review procedures. Failure to select resources merely because they may be potentially controversial is censorship, as is withdrawing resources for the same reason.

Over time, individuals, groups, and entities have sought to limit the diversity of library collections. They cite a variety of reasons that include prejudicial language and ideas, political content, economic theory, social philosophies, religious beliefs, sexual content and expression, and other potentially controversial topics. Librarians have a professional responsibility to be fair, just, and equitable and to give all library users equal protection in guarding against violation of the library patron's right to read, view, or listen to content protected by the First Amendment, no matter what the viewpoint of the author, creator, or selector. Librarians have an obligation to protect library collections from removal of content based on personal bias or prejudice.

Intellectual freedom, the essence of equitable library services, provides for free access to all expressions of ideas through which any and all sides of a question, cause, or movement may be explored. Librarians must not permit their personal beliefs to influence collection development decisions.

Adopted July 14, 1982, by the ALA Council; amended January 10, 1990; July 2, 2008; and July 1, 2014.

## Economic Barriers to Information Access

### An Interpretation of the *Library Bill of Rights*

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

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

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

## Principles Governing Fines, Fees, and User Charges

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

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

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

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

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

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

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

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

# Principles Governing Conditions of Funding

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

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

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

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

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

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

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

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

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

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

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

Adopted June 30, 1993, by the ALA Council.

## Evaluating Library Collections

An Interpretation of the *Library Bill of Rights*

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

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

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

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

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

## Exhibit Spaces and Bulletin Boards

### An Interpretation of the *Library Bill of Rights*

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

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

Exhibit areas often are made available for use by community groups. Libraries should formulate a written policy for the use of these exhibit areas to assure that space is provided on an equitable basis to all groups that request it. Written policies for exhibit space use should be stated in inclusive rather than exclusive terms. For example, a policy that the library's exhibit space is open "to organizations engaged in educational, cultural, intellectual, or charitable activities" is an inclusive statement of the limited uses of the exhibit space. This defined limitation would permit religious groups to use the exhibit space because they engage in intellectual activities, but would exclude most commercial uses of the exhibit space.

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

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

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

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

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

Adopted July 2, 1991, by the ALA Council; amended June 30, 2004, and July 1, 2014.

## Expurgation of Library Resources

An Interpretation of the *Library Bill of Rights*

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Expurgating library resources is a violation of the American Library Association's *Library Bill of Rights*. Expurgation as defined by this Interpretation includes any deletion, excision, alteration, editing, or obliteration of any part of a library resource by administrators, employees, governing authorities, parent institutions (if any), or third party vendors when done for the purposes of censorship. Such action stands in violation of Articles I, II, and III of the *Library Bill of Rights*, which state that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," "Materials should not be proscribed or removed because of partisan or doctrinal disapproval," and "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

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

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

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

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; January 10, 1990; July 2, 2008; and July 1, 2014.

## Importance of Education to Intellectual Freedom

### An Interpretation of the *Library Bill of Rights*

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Education in support of intellectual freedom is fundamental to the mission of libraries of all types. Intellectual freedom is a universal human right that involves both physical and intellectual access to information and ideas. Libraries provide physical access through facilities, resources, and services. Libraries foster intellectual access through educational programs and instruction in essential information skills.

Article I of the Library Bill of Rights "affirms that all libraries are forums for information and ideas." Physical access to information is listed as the first principle:

*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 intellectual access to information by providing materials that allow users to evaluate content and context and find information representing multiple points of view:

*Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.*

The universal freedom to express information and ideas is stated in the Universal Declaration of Human Rights, Article 19:

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

The importance of education to the development of intellectual freedom is expressed in the Universal Declaration of Human Rights, Article 26:

- 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.*

Libraries of all types foster education by promoting the free expression and interchange of ideas. Libraries use resources, programming, and services to strengthen intellectual and physical access to information and thus build a foundation of intellectual freedom: collections (both real and virtual) are developed with multiple perspectives and individual needs of users in mind; programming and instructional services are framed around equitable access to information and ideas; and teaching of information skills is integrated appropriately throughout the spectrum of library programming and leads to empowered lifelong learners.

Through educational programming and instruction in information skills, libraries empower individuals to explore ideas, access and evaluate information, draw meaning from information presented in a variety of formats, develop valid conclusions, and express new ideas. Such education facilitates intellectual access to information and offers a path to intellectual freedom.

Adopted July 15, 2009, by the ALA Council.

## Internet Filtering

### An Interpretation of the *Library Bill of Rights*

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In the span of a single generation, the Internet has revolutionized the basic functions and operations of libraries and schools and expanded exponentially both the opportunities and challenges these institutions face in serving their users. During this time many schools and libraries in the United States have installed content filters on their Internet access. They have done so for a variety of reasons, not least of which is the requirement to comply with the Children's Internet Protection Act (CIPA) in order to be eligible to receive federal funding or discounts through the Library Services and Technology Act, Title III of the Elementary and Secondary Education Act, and the Universal Service discount program (E-rate), or to comply with state filtering requirements that may also be tied to state funding. Their rationale for filtering is that it is better to have filtered access than no access.

CIPA specifically requires public libraries and schools seeking e-rate discounts for internet connections to install technology protection measures, i.e., content filters, to block two categories of visual images that are unprotected by the First Amendment: obscene images and images of child pornography. These are categories of images the Supreme Court has consistently ruled outside the constitutional protection of the First Amendment. CIPA also requires those libraries and schools to block a third category of images for minors under the age of 17 that courts deem "harmful for minors" that are constitutionally protected for adults but not for minors. CIPA does not require libraries and schools to block any other constitutionally protected categories of images, or any constitutionally protected categories of speech.

Research demonstrates that filters consistently both over- and underblock the content they claim to filter. Filters often block adults and minors from access to a wide range of constitutionally protected speech. Content filters are unreliable because computer code and algorithms are still unable to adequately interpret, assess, and categorize the complexities of human communication whether expressed in text or image. In the case of websites containing sexually explicit images, the success rate of filters is frequently no greater than chance. In addition, the use of content filters cedes vital library and school resource and service decisions to external parties (private companies and contractors) who then exercise unknown and unaccountable influence over basic functions of the library or school and users' access to library or school resources and services.<sup>1</sup> In addition to this research, the experience of librarians and educators working within the constraints of CIPA suggests that filters are unreliable and routinely circumvented by technologically adept users.

Most content filters are designed and marketed for a much larger market than libraries and schools, and offer options for filtering wide categories of protected speech such as objectionable language, violence, and unpopular or controversial opinion, as well as entire categories of Internet-based services such as e-mail and social media. In addition many content filters operate on an "opt out" model where the filter defaults "on" unless the user is given the option to shut it off. Categories frequently are set to default to the most stringent settings and may only be adjusted by administrative intervention.

Unblocking for adults on request was a key factor in the Supreme Court decision to uphold CIPA in public libraries.<sup>2</sup> This has proved to be equivocal in actual practice in some libraries, because of the unwillingness or inability of libraries to unblock when requested, especially when system administrators may be outside of library administrative control. While some filtering systems allow librarians at the local or end user level to modify the filter settings, others restrict that authorization to the highest administrative levels, creating lengthy delays in the processing of user requests to unblock erroneously filtered content.

This same situation also occurs in schools. Such delays represent de facto blocking for both library users and K-12 students, because most users rarely have the flexibility or time to wait hours or even days for resources to become available. This dilemma is exacerbated by the secrecy surrounding category definitions and settings maintained by the filtering industry, frequently under the guise of trade secrets. There are also issues of user privacy when users must identify themselves and their interests when asking for specific websites to be unblocked. Certainly, both adults and students researching highly personal or controversial topics will be reluctant to subject themselves to administrative review in order to have access to information that should be freely available to them.

In schools, the CIPA requirements have frequently been misinterpreted with the result of overly restrictive filtering that blocks many constitutionally protected images and texts. Educators are unable to use the wealth of Internet resources for instruction, and minor students are blocked from content relevant to their school assignments and personal interests.

Interactive websites and social media sites are frequently restricted, and are thus unavailable to educators for developing assignments that teach students to live and work in the global digital environment. In many cases students are prevented from creating and sharing their documents, videos, graphics, music and other original content with classmates or the wider world; thus valuable learning opportunities are lost. These situations occur in schools when librarians, educators and educational considerations are excluded from the development and implementation of appropriate, least-restrictive filtering policies and procedures. Minor students, and the librarians and educators who are responsible for their learning experience, should not be blocked from accessing websites or web-based services that provide constitutionally protected content that meets educational needs or personal interests even though some may find that content objectionable or offensive. Minors and the adult educators who instruct them should be able to request the unblocking of websites that do not fall under the categories of images required to be filtered under the Children's Internet Protection Act.

CIPA-mandated content filtering has had three significant impacts in our schools and libraries. First, it has widened the divide between those who can afford to pay for personal access and those who must depend on publicly funded (and filtered) access. Second, when content filtering is deployed to limit access to what some may consider objectionable or offensive, often minority viewpoints religions, or controversial topics are included in the categories of what is considered objectionable or offensive. Filters thus become the tool of bias and discrimination and marginalize users by denying or abridging their access to these materials. Finally, when over-blocking occurs in public libraries and schools, library users, educators, and students who lack other means of access to the Internet are limited to the content allowed by unpredictable and unreliable filters.

The negative effects of content filters on Internet access in public libraries and schools are demonstrable and documented. Consequently, consistent with previous resolutions, the American Library Association cannot recommend filtering.<sup>3</sup> However the ALA recognizes that local libraries and schools are governed by local decision makers and local considerations and often must rely on federal or state funding for computers and internet access. Because adults and, to a lesser degree minors, have First Amendment rights, libraries and schools that choose to use content filters should implement policies and procedures that mitigate the negative effects of filtering to the greatest extent possible. The process should encourage and allow users to ask for filtered websites and content to be unblocked, with minimal delay and due respect for user privacy.

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<sup>1</sup> Kristen R. Batch. "[Fencing Out Knowledge: Impacts of the Children's Internet Protection Act 10 Years Later](#)" (ALA OITP & OIF Policy Brief No. 5, June 2014).

<sup>2</sup> United States v. American Library Association, Inc., [539 U.S 194 \(2003\)](#).

<sup>3</sup> "[Resolution on the Use of Filtering Software in Libraries](#)" (1997) and "[Resolution on Opposition to Federally Mandated Internet Filtering](#)" (2001)

Adopted June 30, 2015, by the ALA Council.

## Intellectual Freedom Principles for Academic Libraries

### An Interpretation of the *Library Bill of Rights*

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A strong intellectual freedom perspective is critical to the development of academic library collections, services, and instruction that dispassionately meets the education and research needs of a college or university community. The purpose of this statement is to outline how and where intellectual freedom principles fit into an academic library setting, thereby raising consciousness of the intellectual freedom context within which academic librarians work. The following principles should be reflected in all relevant library policy documents.

1. The general principles set forth in the [Library Bill of Rights](#) form an indispensable framework for building collections, services, and policies that serve the entire academic community.
2. The privacy of library users is and must be inviolable. Policies should be in place that maintain confidentiality of library borrowing records and of other information relating to personal use of library information and services.
3. The development of library collections in support of an institution's instruction and research programs should transcend the personal values of the selector. In the interests of research and learning, it is essential that collections contain materials representing a variety of perspectives on subjects that may be considered controversial.
4. Preservation and replacement efforts should ensure that balance in library materials is maintained and that controversial materials are not removed from the collections through theft, loss, mutilation, or normal wear and tear. There should be alertness to efforts by special interest groups to bias a collection through systematic theft or mutilation.
5. Licensing agreements should be consistent with the *Library Bill of Rights*, and should maximize access.
6. Open and unfiltered access to the Internet should be conveniently available to the academic community in a college or university library. Content filtering devices and content-based restrictions are a contradiction of the academic library mission to further research and learning through exposure to the broadest possible range of ideas and information. Such restrictions are a fundamental violation of intellectual freedom in academic libraries.
7. Freedom of information and of creative expression should be reflected in library exhibits and in all relevant library policy documents.
8. Library meeting rooms, research carrels, exhibit spaces, and other facilities should be available to the academic community regardless of research being pursued or subject being discussed. Any restrictions made necessary because of limited availability of space should be based on need, as reflected in library policy, rather than on content of research or discussion.
9. Whenever possible, library services should be available without charge in order to encourage inquiry. Where charges are necessary, a free or low-cost alternative (e.g., downloading to disc rather than printing) should be available when possible.
10. A service philosophy should be promoted that affords equal access to information for all in the academic community with no discrimination on the basis of race, age, values, gender, sexual orientation, gender identity, cultural or ethnic background, physical, sensory, cognitive or learning disability, economic status, religious beliefs, or views.
11. A procedure ensuring due process should be in place to deal with requests by those within and outside the academic community for removal or addition of library resources, exhibits, or services.
12. It is recommended that this statement of principle be endorsed by appropriate institutional governing bodies, including the faculty senate or similar instrument of faculty governance.

From a letter dated November 15, 2000, to Judith F. Krug, director, Office for Intellectual Freedom, from the [American Association of University Professors](#):

A copy of the new ACRL/ALA statement on Intellectual Freedom Principles for Academic Libraries: An Interpretation of the 'Library Bill of Rights' was forwarded to one of our Council members and considered by the AAUP Council in its meeting on November 11, 2000.

The AAUP Council is pleased to endorse the statement, but wishes to preface that endorsement with the following language from the Joint Statement on Faculty Status of College and University Librarians, as contained in AAUP: Policy Documents and Reports, 1995 edition:

*“College and university librarians share the professional concerns of faculty members. Academic freedom, for example, is indispensable to librarians, because they are trustees of knowledge with the responsibility of ensuring the availability of information and ideas, no matter how controversial, so that teachers may freely teach and students may freely learn. Moreover, as members of the academic community, librarians should have latitude in the exercise of their professional judgment within the library, a share in shaping policy within the institution, and adequate opportunities for professional development and appropriate reward.”*

Please convey to the members of the ACRL Board and ALA Council our concern that college and university librarians are designated the same rights afforded to other faculty in regard to intellectual freedom.

## Labeling Systems

### An Interpretation of the *Library Bill of Rights*

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The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access. Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, providing access to digital information does not indicate endorsement or approval of that information by the library. Labeling systems present distinct challenges to these intellectual freedom principles.

Labels may be a library-sanctioned means of organizing resources or providing guidance to users. They may be as simple as a colored dot or strip of tape indicating reference books or fiction or as elaborate as the Dewey Decimal or Library of Congress call number systems.

Labels as viewpoint-neutral directional aids are intended to facilitate access by making it easier for users to locate resources. Users may choose to consult or ignore the directional aids at their own discretion. Viewpoint-neutral directional labels are a convenience designed to save time. These are different in intent from attempts to prejudice, discourage, or encourage users to access particular library resources or to restrict access to library resources. Labeling as an attempt to prejudice attitudes is a censor's tool. The American Library Association opposes labeling as a means of predisposing people's attitudes toward library resources.

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

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

Prejudicial labeling systems assume that the libraries have the institutional wisdom to determine what is appropriate or inappropriate for its users to access. They presuppose that individuals must be directed in making up their minds about the ideas they examine. The American Library Association opposes the use of prejudicial labeling systems and affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access.

Adopted on June 30, 2015, by ALA Council.

## Minors and Internet Activity

### An Interpretation of the *Library Bill of Rights*

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The digital environment offers opportunities for accessing, creating, and sharing information. The rights of minors to retrieve, interact with, and create information posted on the Internet in schools and libraries are extensions of their First Amendment rights. (See also other Interpretations of the American Library Association's *Library Bill of Rights*, including "Access to Digital Information, Services, and Networks," "Access to Library Resources and Services for Minors.")

Academic pursuits of minors can be strengthened with the use of interactive web tools, allowing young people to create documents and share them online; to upload pictures, videos, and graphic material; to revise public documents; and to add tags to online content to classify and organize information. Instances of inappropriate use of such academic tools should be addressed as individual behavior issues, not as justification for restricting or banning access to interactive technology. Schools and libraries should ensure that institutional environments offer opportunities for students to use interactive web tools constructively in their academic pursuits, as the benefits of shared learning are well documented.

Personal interactions of minors can be enhanced by social tools available through the Internet. Social networking websites allow the creation of online communities that feature an open exchange of information in various forms, such as images, videos, blog posts, and discussions about common interests.

Interactive web tools help children and young adults learn about and organize social, civic, and extra-curricular activities. Many interactive sites invite users to establish online identities, share personal information, create Web content, and join social networks. Parents and guardians play a critical role in preparing their children for participation in online activity by communicating their personal family values and by monitoring their children's use of the Internet. Parents and guardians are responsible for what their children—and only their children—access on the Internet in libraries.

The use of interactive web tools poses two competing intellectual freedom issues—the protection of minors' privacy and the right of free speech. Some have expressed concerns regarding what they perceive to be an increased vulnerability of young people in the online environment when they use interactive sites to post personally identifiable information. In an effort to protect minors' privacy, adults sometimes restrict access to interactive web environments. Filters, for example, are sometimes used to restrict access by youth to interactive social networking tools, but at the same time deny minors' rights to free expression on the Internet. Prohibiting children and young adults from using social networking sites does not teach safe behavior and leaves youth without the necessary knowledge and skills to protect their privacy or engage in responsible speech. Instead of restricting or denying access to the Internet, librarians and teachers should educate minors to participate responsibly, ethically, and safely.

The First Amendment applies to speech created by minors on interactive sites. Use of these social networking sites in a school or library allows minors to access and create resources that fulfill their interests and needs for information, for social connection with peers, and for participation in a community of learners. Restricting expression and access to interactive web sites because the sites provide tools for sharing information with others violates the tenets of the *Library Bill of Rights*. It is the responsibility of librarians and educators to monitor threats to the intellectual freedom of minors and to advocate for extending access to interactive applications on the Internet.

As defenders of intellectual freedom and the First Amendment, libraries and librarians have a responsibility to offer unrestricted access to Internet interactivity in accordance with local, state, and federal laws, and to advocate for greater access where it is abridged. School and library professionals should work closely with young people to help them learn skills and attitudes that will prepare them to be responsible, effective and productive communicators in a free society.

Adopted July 15, 2009, by the ALA Council; amended on July 1, 2014.

## Library-Initiated Programs as a Resource

### An Interpretation of the *Library Bill of Rights*

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

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

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

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

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

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

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

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

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

## Meeting Rooms

### An Interpretation of the *Library Bill of Rights*

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Many libraries provide meeting rooms for individuals and groups as part of a program of service. Article VI of the [Library Bill of Rights](#) states that such facilities should be made available to the public served by the given library “on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.”

Libraries maintaining meeting room facilities should develop and publish policy statements governing use. These statements can properly define time, place, or manner of use; such qualifications should not pertain to the content of a meeting or to the beliefs or affiliations of the sponsors. These statements should be made available in any commonly used language within the community served.

If meeting rooms in libraries supported by public funds are made available to the general public for non-library sponsored events, the library may not exclude any group based on the subject matter to be discussed or based on the ideas that the group advocates. For example, if a library allows charities and sports clubs to discuss their activities in library meeting rooms, then the library should not exclude partisan political or religious groups from discussing their activities in the same facilities. If a library opens its meeting rooms to a wide variety of civic organizations, then the library may not deny access to a religious organization. Libraries may wish to post a permanent notice near the meeting room stating that the library does not advocate or endorse the viewpoints of meetings or meeting room users.

Written policies for meeting room use should be stated in inclusive rather than exclusive terms. For example, a policy that the library’s facilities are open “to organizations engaged in educational, cultural, intellectual, or charitable activities” is an inclusive statement of the limited uses to which the facilities may be put. This defined limitation would permit religious groups to use the facilities because they engage in intellectual activities, but would exclude most commercial uses of the facility.

A publicly supported library may limit use of its meeting rooms to strictly “library-related” activities, provided that the limitation is clearly circumscribed and is viewpoint neutral.

Written policies may include limitations on frequency of use, and whether or not meetings held in library meeting rooms must be open to the public. If state and local laws permit private as well as public sessions of meetings in libraries, libraries may choose to offer both options. The same standard should be applicable to all.

If meetings are open to the public, libraries should include in their meeting room policy statement a section that addresses admission fees. If admission fees are permitted, libraries shall seek to make it possible that these fees do not limit access to individuals who may be unable to pay, but who wish to attend the meeting. Article V 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.” It is inconsistent with Article V to restrict indirectly access to library meeting rooms based on an individual’s or group’s ability to pay for that access.

Adopted July 2, 1991, by the ALA Council.

See also: [Religion in American Libraries: Questions and Answers](#)

## Prisoners Right to Read

### An Interpretation of the *Library Bill of Rights*

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The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility. As Supreme Court Justice Thurgood Marshall wrote in *Procunier v Martinez* [416 US 428 (1974)]:

When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded. If anything, the needs for identity and self-respect are more compelling in the dehumanizing prison environment.

Participation in a democratic society requires unfettered access to current social, political, economic, cultural, scientific, and religious information. Information and ideas available outside the prison are essential to prisoners for a successful transition to freedom. Learning to be free requires access to a wide range of knowledge, and suppression of ideas does not prepare the incarcerated of any age for life in a free society. Even those individuals that a lawful society chooses to imprison permanently deserve access to information, to literature, and to a window on the world. Censorship is a process of exclusion by which authority rejects specific points of view. That material contains unpopular views or even repugnant content does not provide justification for censorship. Unlike censorship, selection is a process of inclusion that involves the search for materials, regardless of format, that represent diversity and a broad spectrum of ideas. The correctional library collection should reflect the needs of its community.

Libraries and librarians serving individuals in correctional facilities may be required by federal, state, or local laws; administrative rules of parent agencies; or court decisions to prohibit material that instructs, incites, or advocates criminal action or bodily harm or is a violation of the law. Only those items that present an actual compelling and imminent risk to safety and security should be restricted. Although these limits restrict the range of material available, the extent of limitation should be minimized by adherence to the *Library Bill of Rights* and its Interpretations.

These principles should guide all library services provided to prisoners:

- Collection management should be governed by written policy, mutually agreed upon by librarians and correctional agency administrators, in accordance with the Library Bill of Rights, its Interpretations, and other ALA intellectual freedom documents.
- Correctional libraries should have written procedures for addressing challenges to library materials, including a policy-based description of the disqualifying features, in accordance with "Challenged Materials" and other relevant intellectual freedom documents.
- Correctional librarians should select materials that reflect the demographic composition, information needs, interests, and diverse cultural values of the confined communities they serve.
- Correctional librarians should be allowed to purchase materials that meet written selection criteria and provide for the multi-faceted needs of their populations without prior correctional agency review. They should be allowed to acquire materials from a wide range of sources in order to ensure a broad and diverse collection. Correctional librarians should not be limited to purchasing from a list of approved materials.
- Age is not a reason for censorship. Incarcerated children and youth should have access to a wide range of fiction and nonfiction, as stated in "Free Access to Libraries for Minors."
- Correctional librarians should make all reasonable efforts to provide sufficient materials to meet the information and recreational needs of prisoners who speak languages other than English.
- Equitable access to information should be provided for persons with disabilities as outlined in "Services to People with Disabilities."
- Media or materials with non-traditional bindings should not be prohibited unless they present an actual compelling and imminent risk to safety and security.
- Material with sexual content should not be banned unless it violates state and federal law.
- Correctional libraries should provide access to computers and the Internet.

When free people, through judicial procedure, segregate some of their own, they incur the responsibility to provide humane treatment and essential rights. Among these is the right to read. The right to choose what to read is deeply important, and the suppression of ideas is fatal to a democratic society. The denial of the right to read, to write, and to think—to intellectual freedom—diminishes the human spirit of those segregated from society. Those who cherish their full freedom and rights should work to guarantee that the right to intellectual freedom is extended to all incarcerated individuals.

Adopted June 29, 2010, by the ALA Council.

## Privacy

### An Interpretation of the *Library Bill of Rights*

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

In a library (physical or virtual), the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.<sup>5</sup> Confidentiality extends to "information sought or received and resources consulted, borrowed, acquired or transmitted" (*ALA Code of Ethics*), including, but not limited to: database search records, reference questions and interviews, circulation records, interlibrary loan records, information about materials downloaded or placed on "hold" or "reserve," and other personally identifiable information about uses of library materials, programs, facilities, or services.

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. The ALA has affirmed a right to privacy since 1939.<sup>6</sup> Existing ALA policies affirm that confidentiality is crucial to freedom of inquiry.<sup>7</sup> Rights to privacy and confidentiality also are implicit in the [Library Bill of Rights](#)' guarantee of free access to library resources for all users.<sup>8</sup>

#### Rights of Library Users

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

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

Users have the right to be informed what policies and procedures govern the amount and retention of personally identifiable information, why that information is necessary for the library, and what the user can do to maintain his or her privacy. Library users expect and in many places have a legal right to have their information protected and kept private and confidential by anyone with direct or indirect access to that information. In addition, Article V of the *Library Bill of Rights* states: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." This article precludes the use of profiling as a basis for any breach of privacy rights. Users have the right to use a library without any abridgement of privacy that may result from equating the subject of their inquiry with behavior.<sup>9</sup>

#### Responsibilities in Libraries

The library profession has a long-standing commitment to an ethic of facilitating, not monitoring, access to information. This commitment is implemented locally through the adoption of and adherence to library privacy policies that are consistent with applicable federal, state, and local law.

Everyone (paid or unpaid) who provides governance, administration or service in libraries has a responsibility to maintain an environment respectful and protective of the privacy of all users. Users have the responsibility to respect each others' privacy.

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

Libraries should not share personally identifiable user information with third parties or with vendors that provide resources and library services unless the library has obtained the permission of the user or has entered into a legal agreement with the vendor. Such agreements should stipulate that the library retains control of the information, that the information is confidential, and that it may not be used or shared except with the permission of the library.

Law enforcement agencies and officers may occasionally believe that library records contain information that would be helpful to the investigation of criminal activity. The American judicial system provides a mechanism for seeking release of such confidential records: a court order issued following a showing of good cause based on specific facts by a court of competent jurisdiction. Libraries should make such records available only in response to properly executed orders.

## Conclusion

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

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

<sup>2</sup> See in particular the [Fourth Amendment](#)'s guarantee of "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," the [Fifth Amendment](#)'s guarantee against self-incrimination, and the [Ninth Amendment](#)'s guarantee that "[t]he enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." This right is explicit in Article Twelve of the [Universal Declaration of Human Rights](#): "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." See: <http://www.un.org/Overview/rights.html>. This right has further been explicitly codified as Article Seventeen of the [International Covenant on Civil and Political Rights](#), a legally binding international human rights agreement ratified by the United States on June 8, 1992. See: [http://www.unhchr.ch/html/menu3/b/a\\_ccpr.htm](http://www.unhchr.ch/html/menu3/b/a_ccpr.htm).

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

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

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

<sup>6</sup> Article Eleven of the *Code of Ethics* for Librarians (1939) asserted that “It is the librarian’s obligation to treat as confidential any private information obtained through contact with library patrons.” See: [Code of Ethics for Librarians \(1939\)](#). Article Three of the 1995 *Code* states: “We protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted.”

<sup>7</sup> See these ALA Policies: “[Access for Children and Young Adults to Nonprint Materials](#)”; “[Access to Library Resources and Services for Minors](#)”; “[Freedom to Read](#)”; “[Libraries: An American Value](#)”; the newly revised “[Library Principles for a Networked World](#)”; “[Policy Concerning Confidentiality of Personally Identifiable Information about Library Users](#)”; “[Policy on Confidentiality of Library Records](#)”; “[Suggested Procedures for Implementing Policy on the Confidentiality of Library Records](#).”

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

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

<sup>10</sup> See: “[Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities](#).”

Adopted June 19, 2002, by the ALA Council; amended on July 1, 2014.

## Rating Systems

### An Interpretation of the *Library Bill of Rights*

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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 appearing in library public access catalogs or resource discovery tools present distinct challenges to these intellectual freedom principles.

#### Rating Systems

Many organizations use or devise rating systems as a means of advising either their members or the general public regarding the organizations' opinions of the contents and suitability or appropriate age or grade level for use of certain books, films, recordings, websites, games, or other materials. Rating systems presuppose the existence of individuals or groups with wisdom to determine by their authority what is appropriate or inappropriate for others. Rating systems also presuppose that individuals must be directed in making up their minds about the ideas they examine. The creation and publication of such systems is a perfect example of the First Amendment's right of free speech. However, The American Library Association also affirms the rights of individuals to form their own opinions about resources they choose to read or view.

The adoption, enforcement, or endorsement, either explicitly or implicitly, of any of these rating systems by a library violates the Library Bill of Rights and may be unconstitutional. 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 that include ratings as part of their packaging. Librarians should not endorse the inclusion of such rating systems; however, removing or destroying the ratings—if placed there by the publisher, distributor, or copyright holder—could constitute expurgation (see “Expurgation of Library Materials: An Interpretation of the *Library Bill of Rights*”).

Because AACR2, RDA and the MARC format 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 codes to provide this information. However, if they choose to do so, whatever the reason, they should cite the source of the rating to their catalog or discovery tool displays indicating that the library does not endorse any external rating system.

The inclusion of ratings on bibliographic records in library catalogs or discovery tools 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*.

The fact that libraries do not advocate or use rating systems does not preclude them from answering questions about such systems. In fact, providing access to sources containing information on rating systems in order to meet the specific information seeking needs of individual users is appropriate.

Adopted on June 30, 2015, by ALA Council.

## Restricted Access to Library Materials

### An Interpretation of the *Library Bill of Rights*

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

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

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

Physical restrictions and content filtering of library resources and services may generate psychological, service, or language skills barriers to access as well. Because restricted materials often deal with controversial, unusual, or sensitive subjects, having to ask a library worker for access to them may be embarrassing or inhibiting for patrons desiring access. Even when a title is listed in the catalog with a reference to its restricted status, a barrier is placed between the patron and the publication. (See also "Labeling and Rating Systems.") Because restricted materials often feature information that some people consider objectionable, potential library users may be predisposed to think of labeled and filtered resources as objectionable and be discouraged from asking for access to them.

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

Library policies that restrict access to resources for any reason must be carefully formulated and administered to ensure they do not violate established principles of intellectual freedom. This caution is reflected in ALA policies, such as "Evaluating Library Collections," "Free Access to Libraries for Minors," "Preservation Policy," and the ACRL "Code of Ethics for Special Collections Librarians."

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

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

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; July 3, 1991; July 12, 2000; June 30, 2004; January 28, 2009; and July 1, 2014.

## Services to Persons with Disabilities

### An Interpretation of the *Library Bill of Rights*

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The American Library Association recognizes that persons with disabilities are a large and often neglected part of society. In addition to many personal challenges, some persons with disabilities face economic inequity, illiteracy, cultural isolation, and discrimination in education, employment, and the broad range of societal activities. The library plays a catalytic role in their lives by facilitating their full participation in society.

The First Amendment to the U.S. Constitution mandates the right of all persons to free expression and the corollary right to receive the constitutionally protected expression of others. A person's right to use the library should not be denied or abridged because of disabilities. The library has the responsibility to provide materials "for the interest, information, and enlightenment of all people of the community the library serves." (See also the Library Bill of Rights.) When information in libraries is not presented in formats that are accessible to all users, discriminatory barriers are created.

Library staff should be proactive in reaching out to persons with disabilities and facilitating provision of resources and services. Library staff also should be aware of the available technologies and how to assist all users with library technology. All library resources should be available in formats accessible by persons of all ages with different abilities. These materials must not be restricted by any presuppositions about information needs, interests, or capacity for understanding. The library should offer different, necessary modes of access to the same content using equipment, electronics, or software. All information resources provided directly or indirectly by the library, regardless of technology, format, or method of delivery, should be readily, equally and equitably accessible to all library users. Libraries should make every effort to support the needs of their users with disabilities and when necessary, should seek financial or other assistance to do so.

ALA recognizes that providing specialized services often requires retention of extensive patron records, such as a user's transaction histories. Libraries assume responsibility for protecting the confidentiality of all personally identifiable information entrusted to them to perform services.

Libraries should provide training opportunities for all staff and volunteers in order to sensitize them to issues affecting persons with disabilities and to teach effective techniques for providing services for users with disabilities and for working with colleagues with disabilities.

Libraries should use strategies based upon the principles of universal design to ensure that library facilities, policies, services, and resources meet the needs of all users. Libraries should provide a clear path for persons with disabilities to request accommodations that will enable them to participate fully in library programs and services. Further, libraries and schools should work with persons with disabilities, agencies, organizations, and vendors to integrate assistive technology into their facilities and services to meet the needs of persons with a broad range of disabilities, including learning, mobility, sensory, and developmental disabilities.

The preamble to the Library Bill of Rights states, "all libraries are forums for information and ideas." By removing the physical, technological, and procedural barriers to accessing those forums, libraries promote the full inclusion of persons with disabilities into our society.

ALA related policy: 54.3.2 Library Services for People with Disabilities

Adopted January 28, 2009, by the ALA Council.

## Universal Right to Free Expression

### An Interpretation of the *Library Bill of Rights*

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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.

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

Article 12 of this document states:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor or reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 18 of this document states:

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

Article 19 states:

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

Article 20 states:

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

On December 18, 2013, the United Nations General Assembly adopted a resolution reaffirming that the right to personal privacy applies to the use of communications technology and digital records, and requiring the governments of member nations to “respect and protect” the privacy rights of individuals.

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

We maintain that these are universal principles and should be applied by libraries and librarians throughout the world. The American Library Association’s policy on International Relations reflects these objectives: “. . . to encourage the exchange, dissemination, and access to information and the unrestricted flow of library materials in all formats throughout the world.”

We know that censorship, ignorance, and manipulation are the tools of tyrants and profiteers. We support the principles of Net neutrality, transparency, and accountability. We maintain that both government and corporate efforts to suppress, manipulate, or intercept personal communications and search queries with minimal oversight or accountability, and without user consent, is oppressive and discriminatory. The technological ability of commercial and government interests

to engage in the massive collection and aggregation of personally identifiable information without due process and transparency is an abuse of the public trust and inimical to privacy and free expression. We believe that everyone benefits when each individual is treated with respect, and ideas and information are freely shared, openly debated, and vigorously tested in the market of public experience.

The American Library Association is unswerving in its commitment to human rights, but cherishes a particular commitment to privacy and free expression; the two are inseparably linked and inextricably entwined with the professional practice of librarianship. We believe that the rights of privacy and free expression are not derived from any claim of political, racial, economic, or cultural hegemony. These rights are inherent in every individual. They cannot be surrendered or subordinated, nor can they be denied, by the decree of any government or corporate interest. True justice and equality depend upon the constant exercise of these rights.

We recognize the power of information and ideas to inspire justice, to restore freedom and dignity to the exploited and oppressed, to change the hearts and minds of the oppressors, and to offer opportunities for a better life to all people.

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

There is no good censorship. Any effort to restrict free expression and the free flow of information through any media and regardless of frontiers aids discrimination and oppression. Fighting oppression with censorship is self-defeating. There is no meaningful freedom for the individual without personal privacy. A society that does not respect the privacy of the individual will be blind to the erosion of its rights and liberties.

Threats to the privacy and freedom of expression of any person anywhere are threats to the privacy and freedom of all people everywhere. Violations of these human rights have been recorded in virtually every country and society across the globe. Vigilance in protecting these rights is our best defense.

In response to these violations, we affirm these principles:

The American Library Association opposes any use of governmental prerogative that leads to intimidation of individuals that prevents them from exercising their rights to hold opinions without interference, and to seek, receive, and impart information and ideas. We urge libraries and librarians everywhere to resist such abuse of governmental power, and to support those against whom such governmental power has been employed.

The American Library Association condemns any governmental effort to involve libraries and librarians in restrictions on the right of any individual to hold opinions without interference, and to seek, receive, and impart information and ideas. Such restrictions, whether enforced by statutes or regulations, contractual stipulations, or voluntary agreements, pervert the function of the library and violate the professional responsibilities of librarians.

The American Library Association rejects censorship in any form. Any action that denies the inalienable human rights of individuals only damages the will to resist oppression, strengthens the hand of the oppressor, and undermines the cause of justice.

The American Library Association will not abrogate these principles. We believe that censorship corrupts the cause of justice, and contributes to the demise of freedom.

Adopted January 16, 1991, by the ALA Council; amended on July 1, 2014.