

Appendices

Library Bill of Rights

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

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

Adopted June 18, 1948. Amended February 2, 1961, and January 21, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA Council

Freedom to Read Statement

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.
2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.
3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.
4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.
5. It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.
6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.
7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.

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

Freedom to View Statement

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

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

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989. Endorsed by the American Library Association (ALA) Council January 10, 1990.

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

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

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats.¹ Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.² Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected.

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

The mission, goals, and objectives of libraries cannot authorize libraries and their governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."⁴ Libraries and their governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services, materials, or facilities should so advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

1 Brown v. Entertainment Merchant's Association, et al. 564 U.S. 08-1448 (2011).

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

3 "Privacy: An Interpretation of the Library Bill of Rights," adopted June 19, 2002, by the ALA Council; amended July 1, 2014; and June 24, 2019.

4 "Libraries: An American Value," adopted on February 3, 1999, by ALA Council.

5 *“Rating Systems: An Interpretation of the Library Bill of Rights,”* adopted on June 30, 2015, by ALA Council.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 under previous name “Free Access to Libraries for Minors”; July 1, 2014; and June 25, 2019.

Minors and Online Activity: An Interpretation of the Library Bill of Rights

The online environment offers opportunities for accessing, creating, and sharing information. The rights of minors to retrieve, create, and interact with information posted on the Internet in schools and libraries are extensions of their First Amendment rights.

Schools and libraries should ensure that they offer opportunities for students to use social media and other online applications constructively in their academic and recreational pursuits. Students can enhance their social, interpersonal, and academic skills with the use of online applications. Some examples include

- creating documents and sharing them online;
- uploading pictures, videos, and visual material;
- engaging in interactive games;
- classifying content and organizing information; and
- participating in online communities.

Online tools may help children and young adults learn about and organize social, civic, recreational, and academic activities. Many sites invite users to establish online identities, join networks, share personal information, and create web content. Library workers curate age-appropriate resources for academic and personal pursuits and teach children and young adults how to be safe online. Parents and guardians play a critical role in preparing their children for participation in online activity by communicating their values and guiding their children’s use of the Internet. Libraries and their governing bodies shall ensure that only a parent or guardian has the right and the responsibility to determine what their child—and only their child—accesses online.

The use of social media and online resources poses two compelling intellectual freedom issues for minors: the right to free expression and the right to privacy.

Filters are often used in libraries and educational institutions to restrict access to online content, limiting access to information and social-media platforms beyond what is required by the Children’s Internet Protection Act and similar state laws. These restrictions deny minors’ rights to free expression online.

Protection of minors’ privacy rights online is also paramount. In addition to concerns about the vulnerability of young people who post personally identifiable information online, other threats to minors’ privacy cause libraries and educational institutions to restrict and monitor minors’ online activities. Perceived safety threats, such as cyberbullying, also lead to restrictive policies. These actions not only deny minors’ right to free expression, but may also deny their right to privacy.

Prohibiting minors from using social media or participating in online communities prevents youth from engaging in opportunities to learn and develop skills needed for responsible speech online, civil engagement, and personal-privacy protection. Instead, libraries and library workers should educate youth about online activities that are appropriate for their maturity level without blocking access for others. Furthermore, library workers should advocate for implementing privacy-protecting policies and technology in libraries and educational institutions that both empower youth to take personal

responsibility for their online privacy and prevent the collection and use of information about minors and their online activities for marketing and for-profit activities.

The First Amendment applies to all forms of speech created by minors and posted online. Restricting access to social media in schools and libraries limits young people's right to free expression and violates the tenets of the Library Bill of Rights. Instances of inappropriate use of social media and online applications should be addressed as individual-behavior issues, not as justification for restricting or banning access to such tools. While other safety threats exist beyond schools' and libraries' physical space, these threats should not be a reason for limiting access for minors. Library workers, educators, and administrators have a responsibility to educate themselves about safety threats while continuing to advocate for the intellectual freedom of minors.

As defenders of intellectual freedom and the First Amendment, libraries have a responsibility to offer unrestricted access to online activity in accordance with local, state, and federal laws and to advocate for greater access where it is abridged. Of equal importance is the responsibility to advocate for minors' right to free expression and privacy online while using libraries of all types. In addition, library workers and educators should help young people learn digital citizenship skills that will prepare them to be responsible, effective members of a global society.

Adopted July 15, 2009, by the ALA Council; amended on July 1, 2014 under previous name "Minors and Internet Activity"; and June 24, 2019.

See Also ·

- *"Access to Digital Information, Services, and Networks: An Interpretation of the Library Bill of Rights," adopted January 24, 1996, by the ALA Council; amended January 19, 2005; and July 15, 2009. References to cited policies updated on November 6, 2018. ·*
- *"Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights," 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"; July 1, 2014; and June 25, 2019. ·*
- *Library Privacy Guidelines for Students in K-12 Schools." drafted by the IFC Privacy Subcommittee and the LITA Patron Privacy Interest Group, approved April 2, 2016, by IFC. ·*
- *Library Privacy Checklists, drafted by IFC Privacy Subcommittee and the LITA Patron Privacy Interest Group, approved by IFC on January 21, 2017. ·*
- *"Internet Filtering: An Interpretation of the Library Bill of Rights," adopted June 30, 2015, by the ALA Council.*

