

Revised
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Intellectual Freedom Manual for Arizona Libraries



INTELLECTUAL FREEDOM COMMITTEE
ARIZONA LIBRARY ASSOCIATION | <http://www.azla.org>

INTRODUCTION

“A parent just asked me to remove the Harry Potter books and Scary Stories to Tell in the Dark by Alvin Schwartz. What do I do now?”

“I don’t think minors should be allowed to check out issues of GQ. Why don’t you have an adults-only section?”

“Some members of our community are challenging The Advocate. How do we defend the library’s right to keep the magazine in the collection?”

These quotes are based on real complaints of materials found in Arizona libraries.

When the free exchange of ideas is confronted by attempts at censorship, it is imperative that the challenge be met. Our responsibility as librarians is to defend our mission of providing free and open access to all available materials or information on a subject regardless of content. The Intellectual Freedom Committee created this handbook as a resource to constructively meet a challenge. As professionals we are committed to keeping Arizona libraries the cornerstones of intellectual freedom and exchange.

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ARIZONA LIBRARY ASSOCIATION INTELLECTUAL FREEDOM COMMITTEE

The purpose of the Intellectual Freedom Committee of the Arizona Library Association is to promote and encourage free access to library materials and information to the citizens of Arizona. Generally, cases involve a complaint about materials or a request to have materials restricted or removed from a collection as well as issues regarding meeting room use or exhibits. The IFC assists all librarians in the State in dealing with intellectual freedom challenges and if necessary, seek further assistance from national and other state organizations concerned with intellectual freedom and civil liberties.

- The Chair of the IFC is appointed by the AzLA President for a two-year term of office beginning in even numbered years
- To provide continuity, the Chair remains on the Committee an additional year after serving the appointed term
- The Chair also serves on the AzLA Legislation Committee
- Committee members are appointed by the AzLA Division Presidents in order to provide representation from public, school, university, and special libraries
- Committee members serve one two-year staggered term
- A member representing the Arizona State Library is appointed by the Director of the Arizona State Library, Archives and Public Records
- A Member-At-Large from the AzLA Executive Board is assigned to the IFC by the AzLA President
- Additional members may be appointed as needed by the Chair

THE DUTIES OF THE INTELLECTUAL FREEDOM COMMITTEE ARE:

1. To investigate cases of censorship involving libraries in the state and to provide assistance when requested.
2. To inform AzLA members through publications and programs about intellectual freedom issues, legislation, and censorship incidents.
3. To develop and maintain an Intellectual Freedom Manual for Arizona Libraries.
4. To promote the adoption of materials selection policies and procedures for handling censorship challenges in all libraries in the state.
5. To monitor legislation and administrative policies which affect intellectual freedom concerns in libraries and work actively to counter such efforts.

6. To maintain contact with the Office for Intellectual Freedom of the American Library Association and network with other organizations, locally and nationally, concerned with intellectual freedom issues.

The IFC procedures for handling censorship incidents are:

- Arizona librarians are urged to report censorship incidents to the Committee
- All information will be kept confidential, if requested
- Reports may be made using the Incident Report Form provided in this manual or by telephone, email, or fax, to the current Committee Chair or to the AzLA office
- Librarians are encouraged to report censorship attempts, even if no assistance is requested, in order to enable the IFC to better monitor challenges occurring in Arizona

If assistance is requested, the Committee Chair coordinates the resources provided. In addition to advice on how to handle the incident:

- The IFC can provide book reviews, issue letters of support and position statements from the Committee and AzLA
- Attend or testify at hearings and open meetings on behalf of individuals and libraries
- Publicize the incident or respond to media inquiries

Contact information for the Intellectual Freedom Committee Chair is at <http://azla.org> under the Divisions, Interest Groups & Committees tab.

Legal or monetary assistance is not available from AzLA or the IFC. The Freedom to Read Foundation does provide legal assistance on a case-by-case basis.

BE PREPARED – BEST PRACTICES

Intellectual freedom may be challenged at any time. The best defense is well-defined institutional policies, established procedures and above all, knowledgeable staff. Steps in planning should include the following:

1. Develop and maintain policies and procedures that reflect your institution's commitment to Intellectual Freedom. Especially important is to have authorized policies for the following areas:
 - Collections and Collection Development,
 - Meeting Room Use
 - Acceptable Use/Standards of Behavior
 - Procedures for handling challenges.

These policies should be in written form, approved by the appropriate governing authority, and readily available to staff and patrons. Avoid jargon.

2. Create a simple form for handling challenges; written in a style that the average person can understand. It should be easily accessible to quickly provide it to anyone requesting it.
3. Conduct periodic training on Intellectual Freedom. Include your organization's policies regarding the subject. Collection development policies and procedures for handling complaints should be part of the orientation program for all new employees.
4. Open and maintain lines of communication with civic, religious, educational and political groups in the community, as well as the local press. Know who to contact for support in the community should a censorship problem occur. Know how to reach organizations that support intellectual freedom objectives.
5. Maintain a vigorous public relations program on behalf of intellectual freedom. Public relations are an ongoing part of the management function. A good public relations program is imperative for the continued growth of library services. It also keeps the community aware of the library's responsibilities for intellectual freedom. Ideally libraries should allocate personnel time and budgetary support to maintain an ongoing public relations effort.
6. Be aware of any municipal or state legislation pertaining to intellectual freedom and First Amendment rights.

FACING A CHALLENGE

When individuals or pressure groups attempt to have materials removed from a library on the basis of obscenity, blasphemy, political content, etc., the AzLA Intellectual Freedom Committee recommends following these procedures:

- Listen attentively to the person making the challenge stay calm and remain courteous. Do not get into an adversarial situation
- Inform them of the library's policy regarding collections, Intellectual Freedom and Library Users Rights
- Offer to give them a copy of the Collection Development or similar policy
- Provide them with copies of Reconsideration of Materials or similar form and answer any questions they have on how to proceed with formalizing their complaint
- Follow your organization's established policies and procedures regarding complaints on materials or related issues (meeting room access). Contact the library's governing authority about the complaint

- Once the materials or issues have been reviewed, communicate the results of the process to the person in writing, explaining the procedure and the final decision
- Challenged materials should remain on the shelf during the reconsideration process

If the incident becomes a public issue:

- Seek legal advice through the library's governing authority and legal counsel
- Every city, town, and school district has an attorney. Do not hesitate to contact them for assistance.
- Prepare for facing the local media – be ready with a nuanced and informative statement on the library's position
- If necessary, contact local allies and enlist their support

It is at this point that the AzLA Intellectual Freedom Committee and similar organizations can be the most helpful, suggesting ways of meeting the challenge and, if requested, furnishing knowledgeable public testimony.

CONFIDENTIALITY OF LIBRARY RECORDS

If the issue involves confidentiality of library records, cite Arizona Revised Statutes ([ARS Sect. 41-151.22](#)), which states:

- A. Except as provided in subsection B of this section, a library or library system supported by public monies shall not allow disclosure of any record or other information, including e-books, that identifies a user of library services as requesting or obtaining specific materials or services or as otherwise using the library.
- B. Records may be disclosed:
 1. If necessary for the reasonable operation of the library
 2. On written consent of the user
 3. On receipt of a court order*
 4. If required by law
- C. Any person who knowingly discloses any record or other information in violation of this section is guilty of a class 3 misdemeanor.
- D. For the purposes of this section, "e-book" means a book composed in or converted to digital format for display on a computer screen or handheld device.

*Any subpoena or court order should be examined by the library's legal counsel. Do not be intimidated into complying with a court order or subpoena until legal counsel has been consulted.

COLLECTION DEVELOPMENT POLICIES

The Arizona Library Association's Intellectual Freedom Committee believes that every library, in order to strengthen its collection development process and to provide an objective basis for evaluation of that process, should develop a written official Collection Development Policy based on the needs of the library's users and in conformity with the Library Bill of Rights and that the policy be approved by the library's governing authority. A written collection development policy is a working document; it should be reviewed and, if necessary, revised annually.

A Collection Development Policy should cover these points:

- Library philosophy and objectives, including a statement of the role of the library in its community
- General selection principles and procedures, including, and the criteria used in the selection process
- Responsibility for the collections
- Policies and procedures for gift materials
- Policies and procedures concerning deselection procedures
- Policies and procedures for the Reconsideration of Materials
- Policies and procedures for special collections
- Cooperative Relationships
- The [Library Bill of Rights](#)

SAMPLE REQUEST FOR RECONSIDERATION FORM

Reconsideration of Materials Form

_____ Library

The _____ Library welcomes the opinions of its customers concerning items in its collection. The policy on selecting library materials has been attached for your review. To help us understand your concerns please answer each question as completely as possible. A written response will be sent to you.

Your name _____ Date _____

Address: _____ Zip _____

Library Card # _____

Material on which you are commenting

Book DVD Compact Disc Other _____

Author _____

Title _____

1. Why would you like this material to be reconsidered? (Please be specific, include page numbers or specific passages).

2. What action do you recommend the library take on this material?

3. What items would you recommend in place of or in addition to the title in question?

You may return this form to any library or send directly to:

An Arizona Library

Arizona Avenue

Anywhere, AZ 8_____

AZLA INCIDENT REPORT FORM

Library _____

Address _____

City/County _____ Zip _____

Phone _____ Fax _____

Librarian Submitting Form

Name _____ Phone _____

Email _____

Challenge: ___ Book ___ Audiovisual Materials ___ Magazine ___ Library Exhibit
___ Newspaper ___ Library Selected Internet Site ___ Library Program ___ Other

Title _____

Author/Producer _____

Publisher _____ Date _____

COMPLAINANT

(attach a copy of the request for reconsideration of library resources form)

DO YOU WISH ASSISTANCE FROM THE IFC? Yes ___ No, I am just reporting _____

ADDITIONAL COMMENTS:

If reported in the media, please attach copies of news articles.

ORGANIZATIONS PROVIDING ASSISTANCE WITH CHALLENGES

Intellectual Freedom Committee

Arizona Library Association

<http://azla.org> in the Divisions, Interest Groups & Committees tab

Arizona State Library, Archives & Public Records

Library Development Division

1101 W. Washington Street

Phoenix, AZ 85007

Phone: 602-926-3604 | Fax: 602-256-7995 | Toll Free 1-800-255-5841

Office for Intellectual Freedom

American Library Association

50 E. Huron Street

Chicago, Illinois 60611

Phone: 1-800-545-2433 Ext. 4223

Fax: 1-312-280-4227

Email: oif@ala.org

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. 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 that 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.

The Library Bill of Rights is reprinted here with the permission of the American Library Association.

Interpretations of the Library Bill of Rights can be found at

<http://www.ala.org/ala/issuesadvocacy/intfreedom/librarybill/interpretations/default.cfm>