



Public Library Policy Principles

New Jersey State Library — March 23, 2024

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Disclaimers

What is Intellectual Freedom?

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

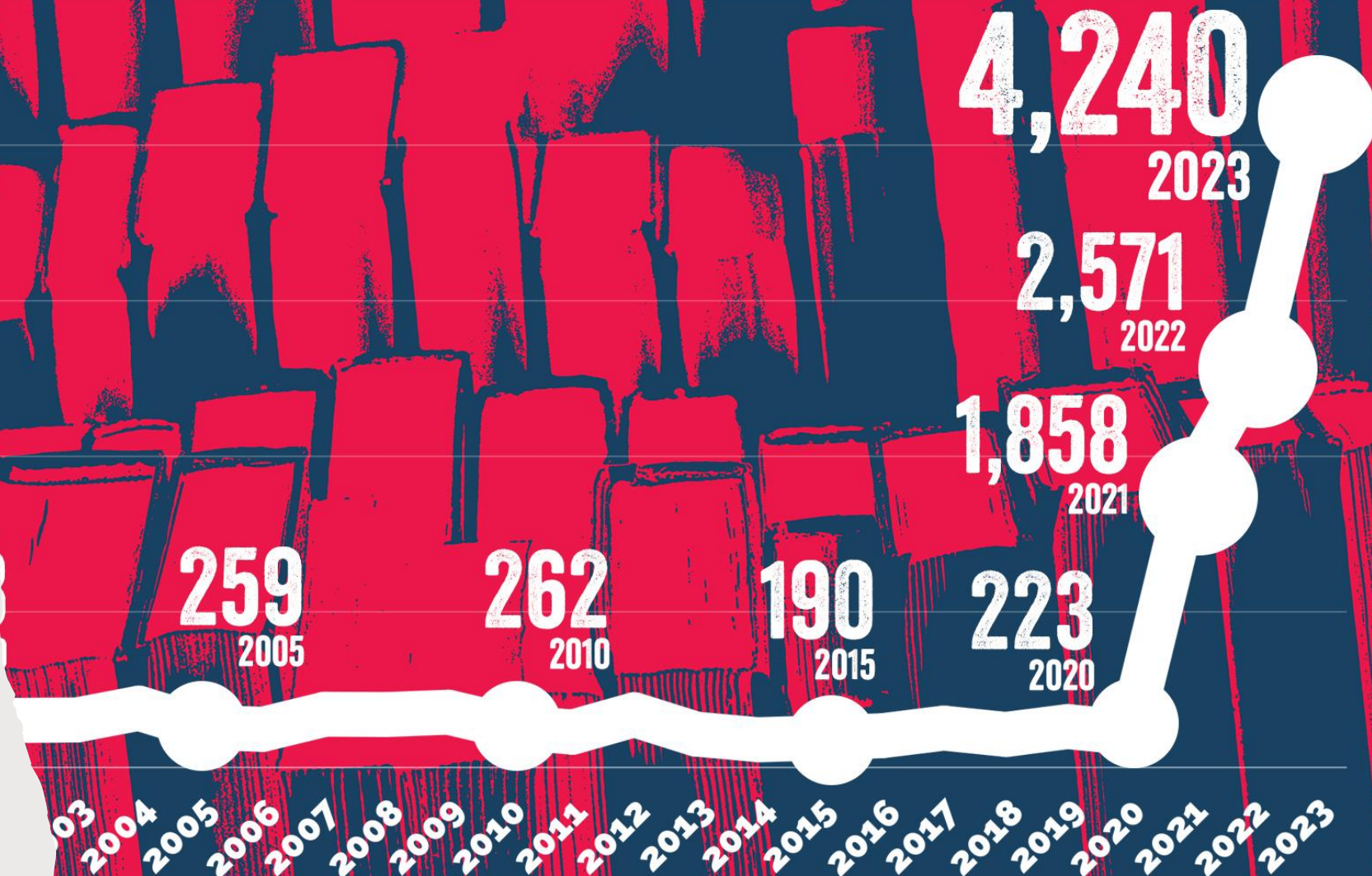
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Number of Unique Titles Challenged in the U.S. by Year



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Book
Censorship
Attempts
Nationwide

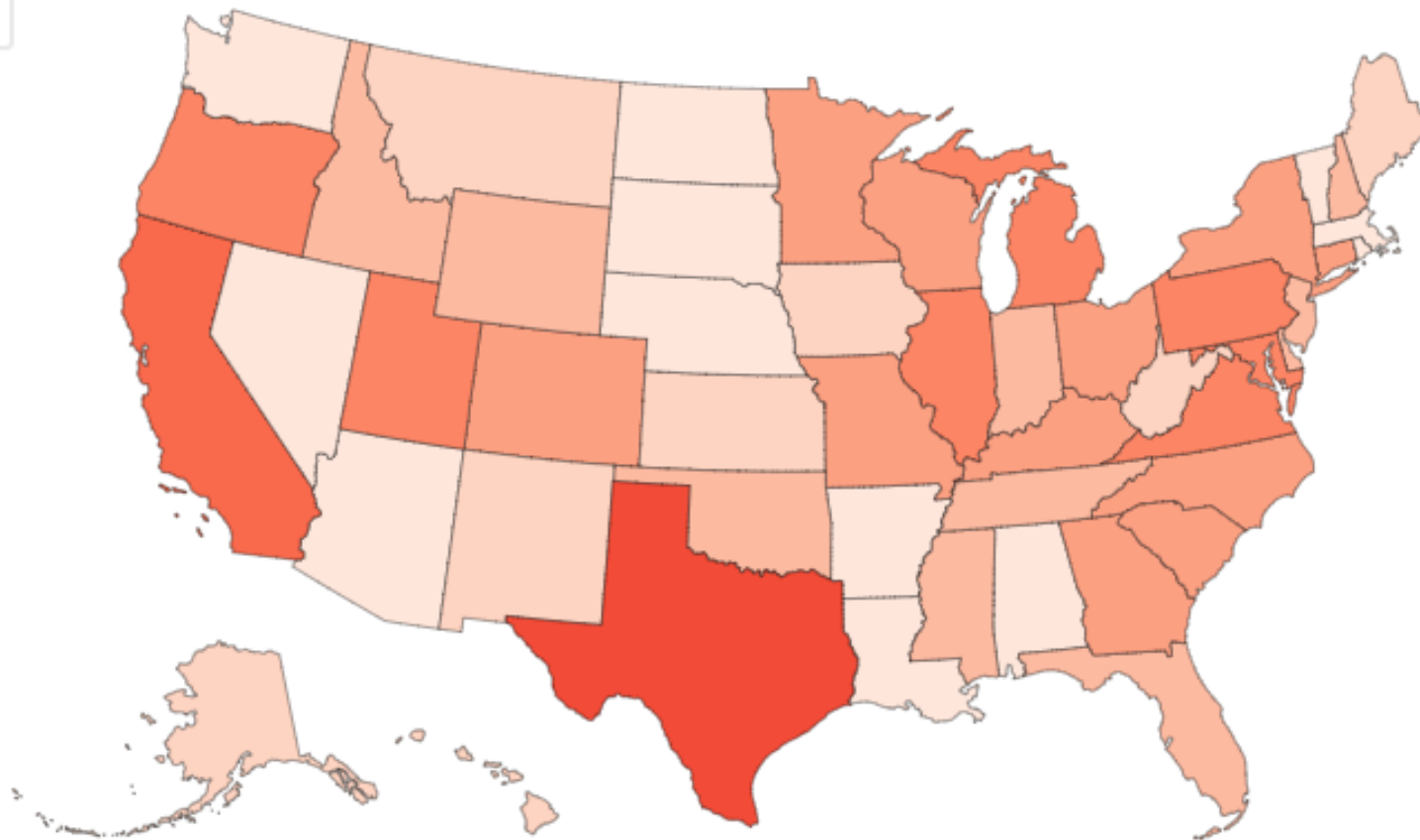


Source: <https://www.ala.org/advocacy/bbooks/book-ban-data>

Titles Challenged in Public Schools and Libraries During 2014

Attempts to censor books during this period: 235. Total titles challenged in those attempts: 235. Unique titles: 183. Most challenged title: *The Absolutely True Diary of a Part-Time Indian*.

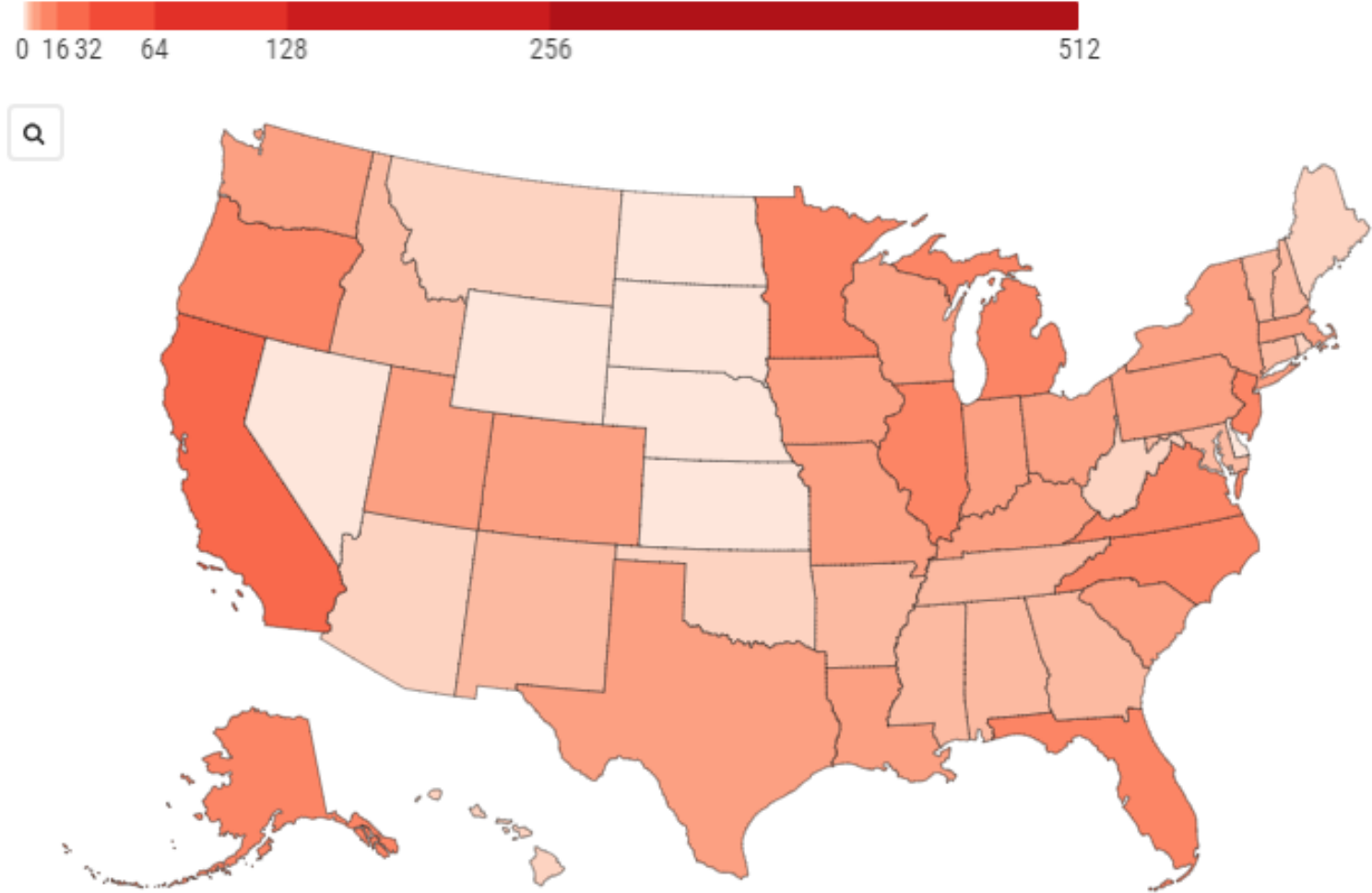
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2015

Attempts to censor books during this period: 229. Total titles challenged in those attempts: 230. Unique titles: 193. Most challenged title: Looking for Alaska.

A challenge may result in access being retained, restricted, or revoked at a school or public library.

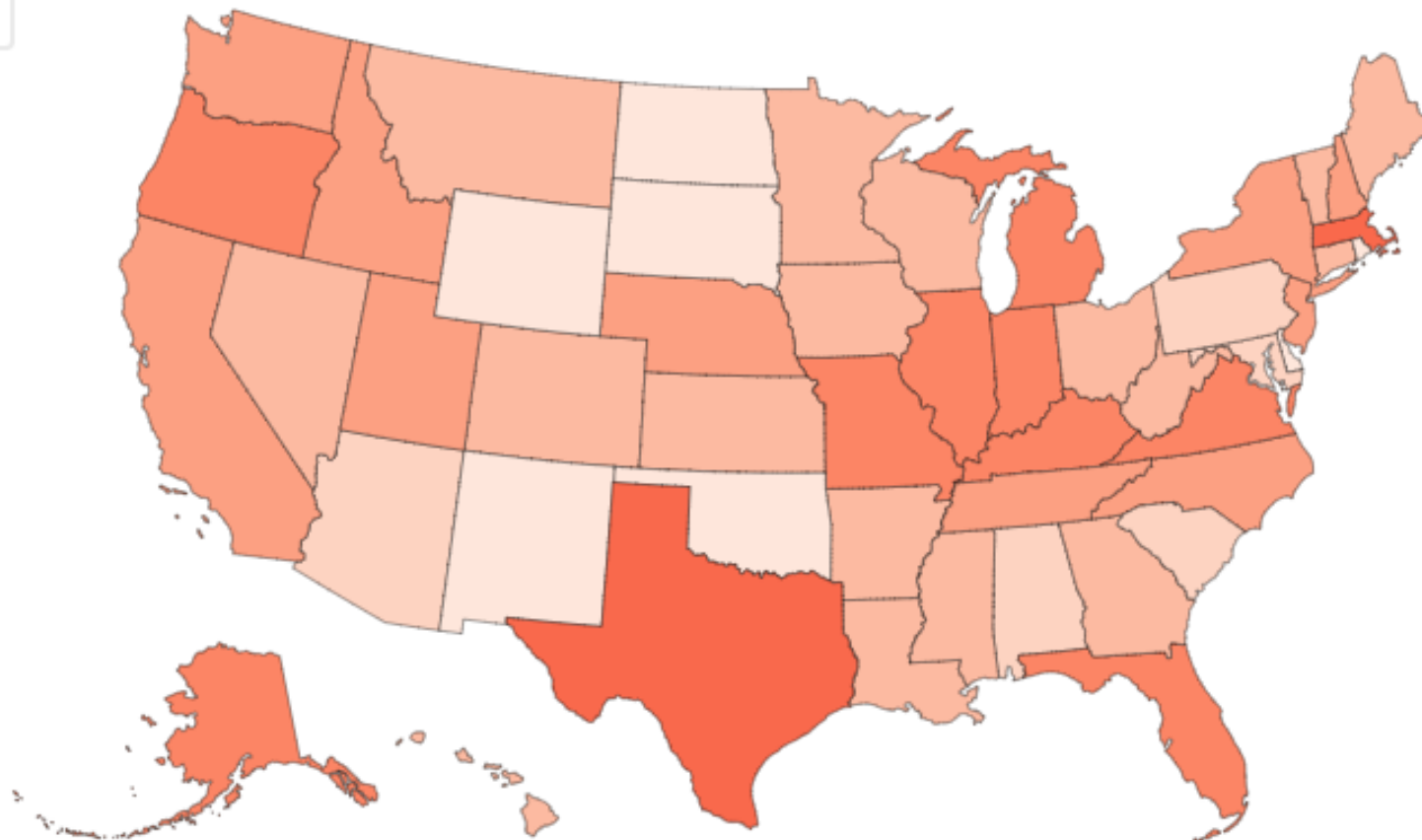


Data compiled by: [American Library Association -- Office for Intellectual Freedom](#)

Titles Challenged in Public Schools and Libraries During 2016

Attempts to censor books during this period: 189. Total titles challenged in those attempts: 240. Unique titles: 208. Most challenged title: This One Summer.

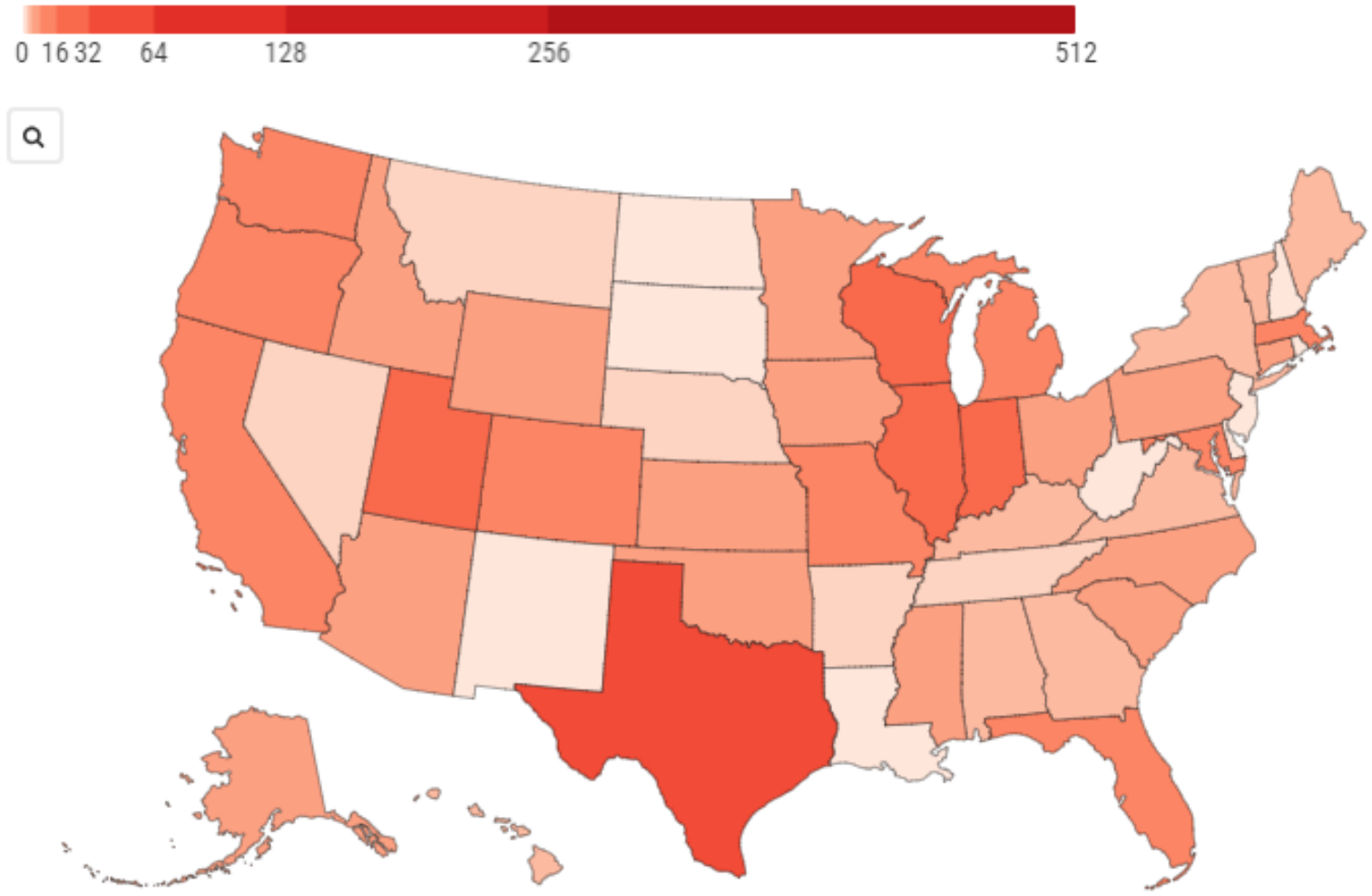
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2017

Attempts to censor books during this period: 243. Total titles challenged in those attempts: 302. Unique titles: 259. Most challenged title: *Thirteen Reasons Why*.

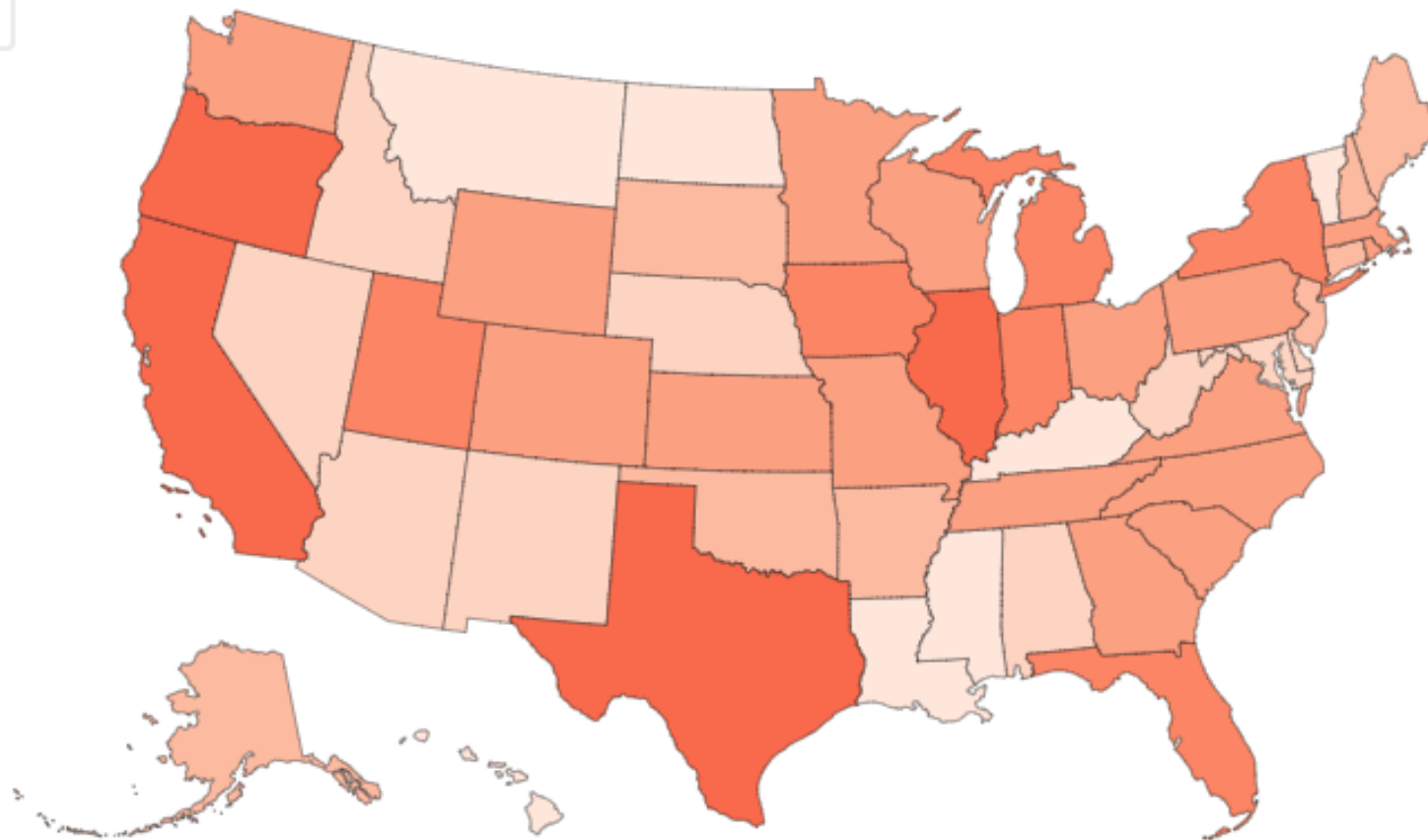
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2018

Attempts to censor books during this period: 231. Total titles challenged in those attempts: 256. Unique titles: 218. Most challenged titles: *A Day in the Life of Marlon Bundo & Melissa* (previously published as *George*).

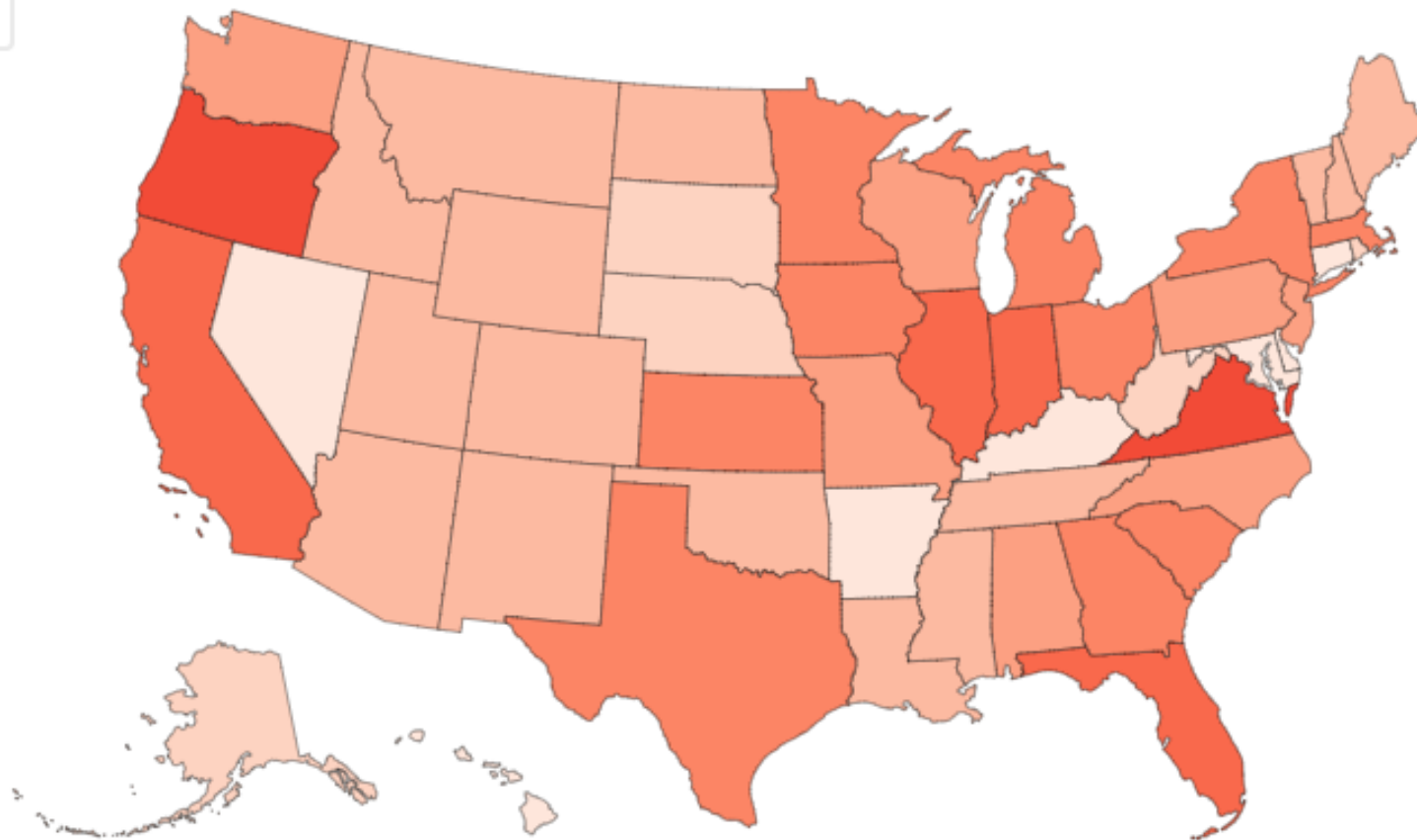
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2019

Attempts to censor books during this period: 246. Total titles challenged in those attempts: 332. Unique titles: 276. Most challenged title: Melissa (previously published as George).

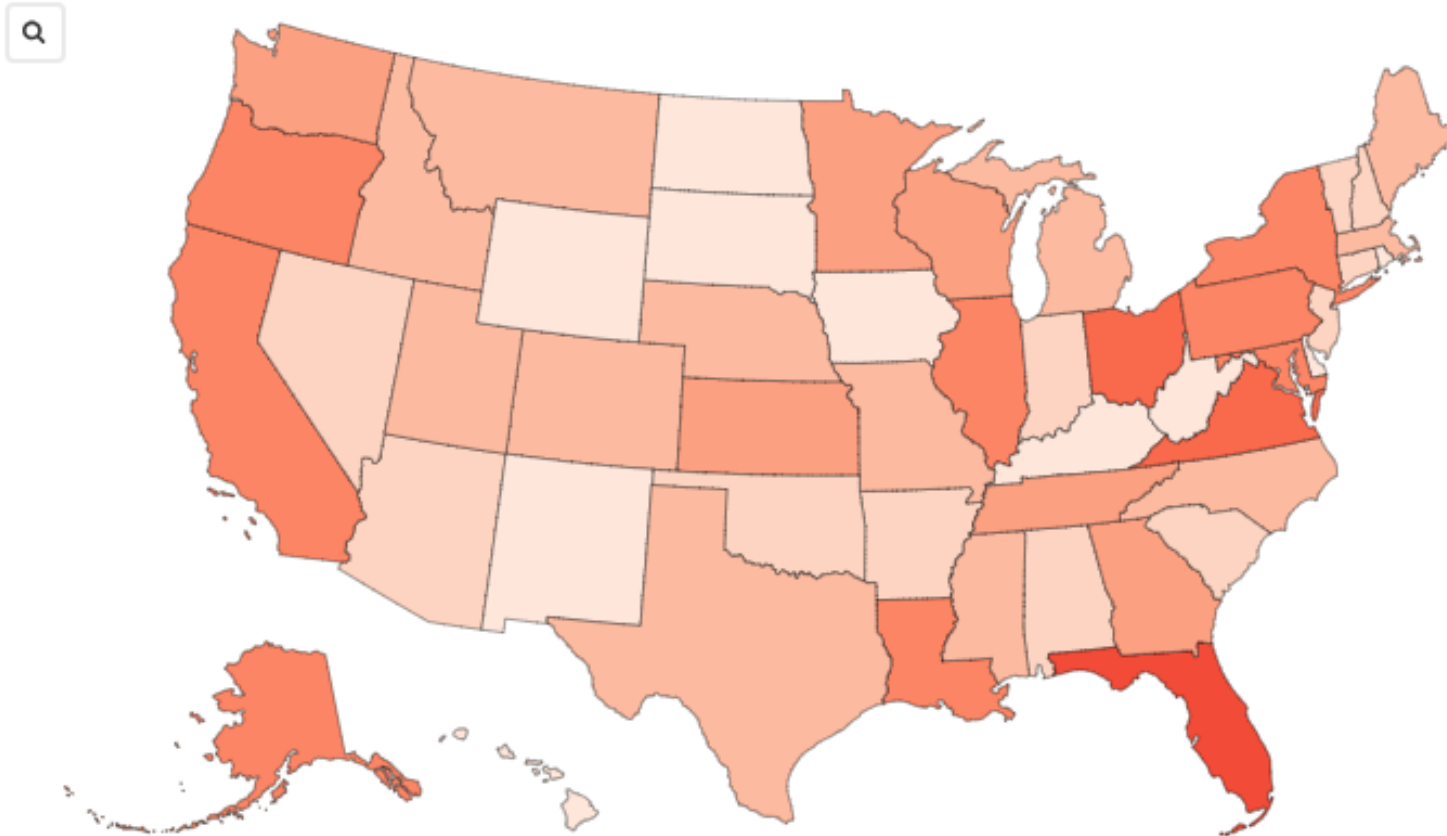
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2020

Attempts to censor books during this period: 121. Total titles challenged in those attempts: 277. Unique titles: 231. Most challenged title: Melissa (previously published as George). Note: most schools and public libraries closed due to the pandemic.

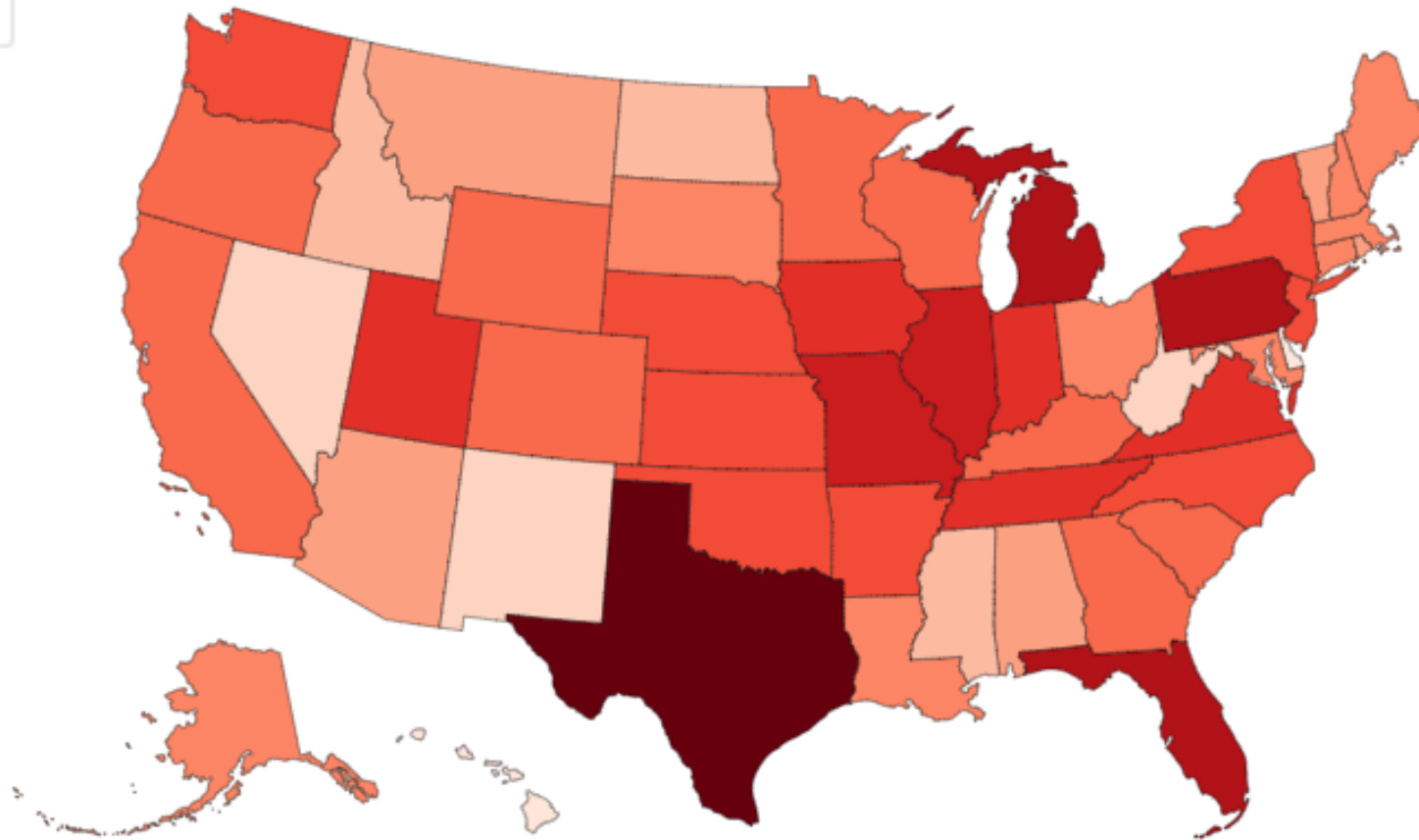
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2021

Attempts to censor books during this period: 602. Total titles challenged in those attempts: 3,926. Unique titles: 1,858. Most challenged title: Gender Queer.

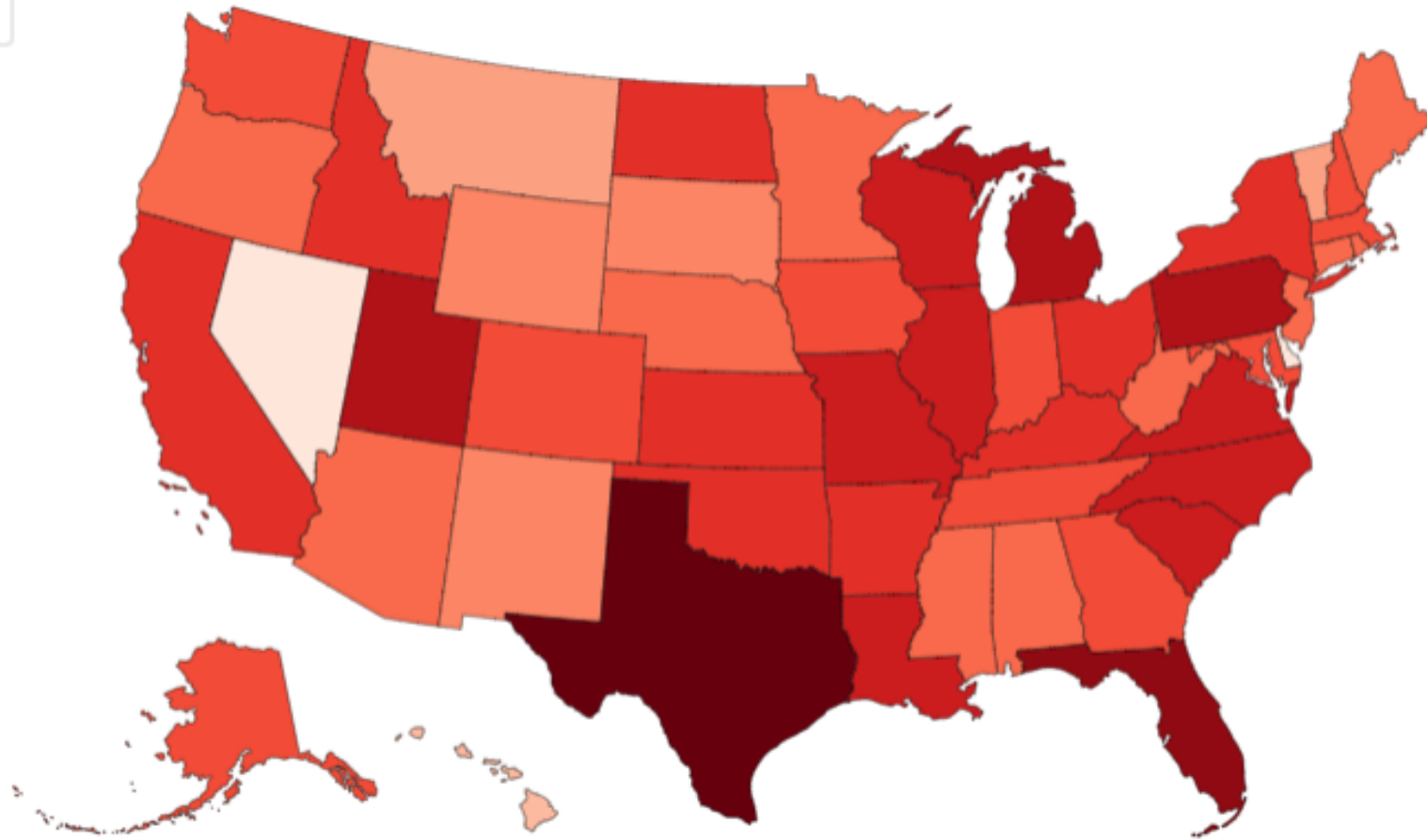
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2022

Attempts to censor books during this period: 1,031. Total titles challenged in those attempts: 6,863 Unique titles: 2,571. Most challenged title: Gender Queer.

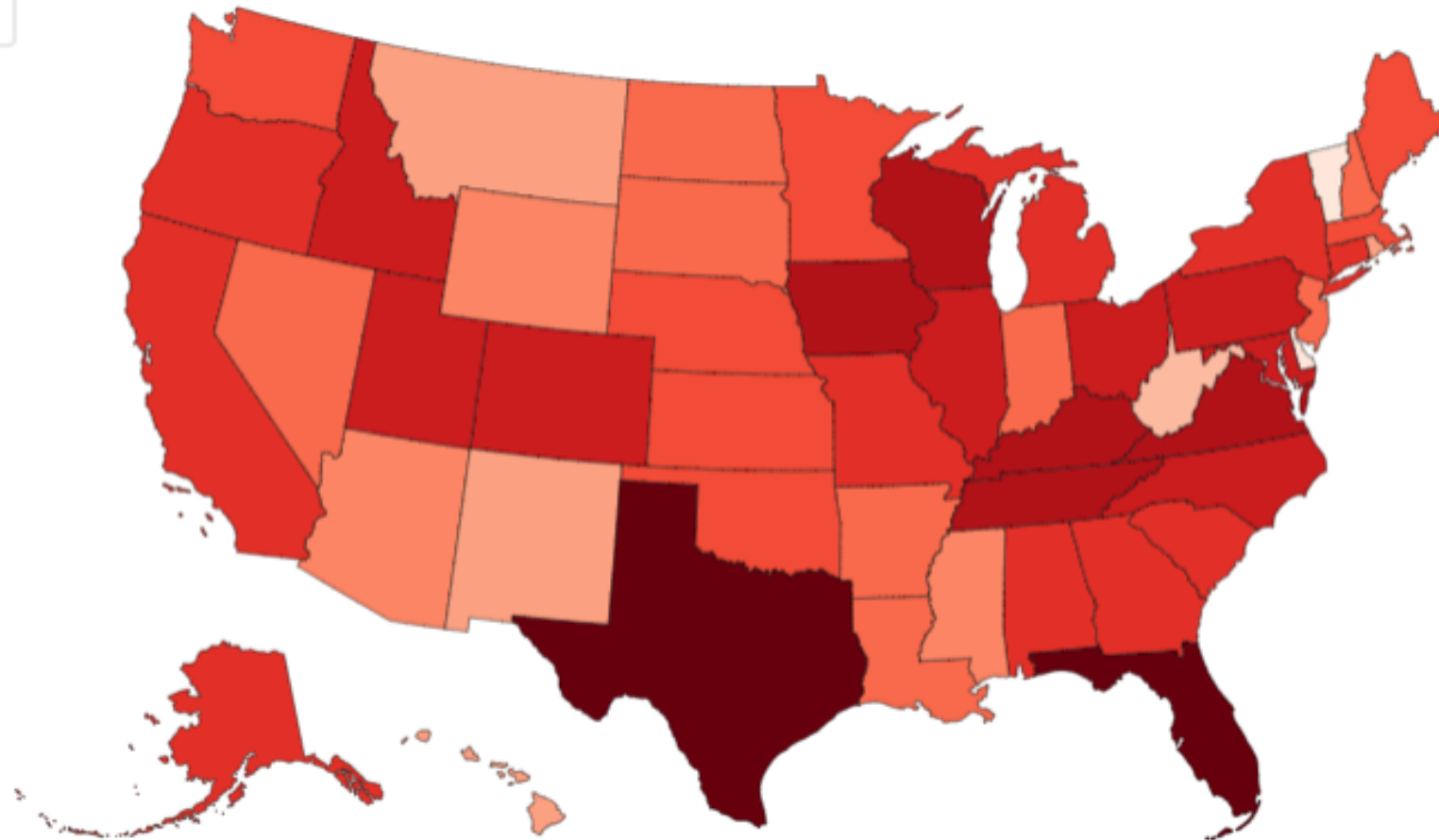
A challenge may result in access being retained, restricted, or revoked at a school or public library.



Titles Challenged in Public Schools and Libraries During 2023

Attempts to censor books during this period: 938. Total titles challenged in those attempts: 9,021. Unique titles: 4,240.

A challenge may result in access being retained, restricted, or revoked at a school or public library.



Censorship In New Jersey

<i>Year</i>	<i>Overall Censorship Attempts</i>	<i>Book Censorship Attempts</i>	<i>Titles Included</i>	<i>Unique Titles</i>
2023	16	14	28	20
2022	19	13	28	23
2021	14	11	35	25
2020	2	1	1	1
2019	8	3	5	5
2018	5	2	2	2
2017	5	0	0	0
2016	6	3	3	3
2015	8	8	8	8
2014	4	2	2	2

So Why Policies?
And Why Me of All
People?

Ethics for Library Trustees

Source: <https://www.ala.org/united/sites/ala.org/united/files/content/trustees/orgtools/Ethics%20Statement.pdf>

United for Libraries



Association of Library Trustees,
Advocates, Friends and Foundations
A division of the American Library Association

PUBLIC LIBRARY TRUSTEE **ETHICS STATEMENT**

Official Statement from United for Libraries

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community.

Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.

What is Censorship?

Censorship is restricting access to information based on the ideas and views presented in it.

A **Challenge** is an objection raised to library materials or services.

Reconsideration is the formal process to determine if a book meets the library's selection criteria by evaluating it in its entirety.

A **book ban** is the removal of a title from the library because someone considers it harmful or dangerous.

Which Policies Should You Have (and How Do You Write Them)?

- Collection Development/Materials Selection
- Reconsideration/Challenge Policy
- Meeting Room Policy (if applicable)
- Patron Behavior (for reasons)
- Filming in the Library
- Patron Privacy
- Computer/Internet Use

Collection Development or Material Selection Policy

Sections it should include:

- Library Mission
- Statement of Support for Intellectual Freedom
- Objectives of the Collection
- Responsibility for selection (typically library director and designated staff)
- Selection Criteria
- Gifts and Donations
- Collection Maintenance and Weeding

Selection Criteria Examples (1/3)

General Criteria

- Present and potential relevance to community needs
- Cost and format of materials
- Importance as a document of the times
- Relation to the existing collection and to other materials on the subject
- Attention by critics and reviewers
- Potential user appeal
- Requests by library patrons

Selection Criteria Examples (2/3)

Content Criteria (considering the work as a whole)

- Authority of publisher
- Comprehensiveness and depth of treatment
- Skill, competence, and purpose of author
- Reputation and significance of author
- Objectivity, clarity, and currency of the work
- Vitality and originality (can include considering artistic presentation and experimentation)
- Authenticity of historic or social setting

Selection Criteria Examples (3/3)

Some Recommended Sources for Reviews

- Booklist
- Publishers Weekly
- Kirkus
- Library Journal
- New York Times Book Review

Reconsideration or Challenge Policy

Sections it should include:

- Guiding Principles
- Statement of Policy
- Handling Informal Complaints
- Request for Formal Reconsideration
- Reconsideration Form

Reconsideration/Challenge Policy (1/3)

Essentials

- Process for handling informal complaints
- Mechanism facilitating formal complaints
- Process for handling formal complaints:
 - Delineate what happens in the review process
 - Define who is responsible and who else is involved (if reviewed by committee)
 - Set what the timeline is for each step of the process
 - Establish what is produced in response (report and/or letter), who is informed, and what records are kept

Reconsideration/Challenge Policy (2/3)

Considerations for the Modern Era

- Define who has the right to challenge
- Establish a clear end point
- Set the durability of the outcome
- Require a separate form for each item
- Limit the number of active challenges an individual can initiate

Bonus

- If you have policy regarding library displays and programs, your reconsideration process should cover those, too!

Reconsideration/Challenge Policy (3/3)

Guidelines for the Reconsideration Process

- Challenged materials should not be removed while under reconsideration
- Objectively evaluate the material within the scope of the collection policy
- Review the library's mission and policies
- Refer to standard evaluation aids and selection practices
- Read the full text of the challenged work
- Passages should not be pulled out of context
- Prepare a report with recommendation, reasons, and vote tally (if done by committee)

Request for Reconsideration Form

Source: <https://www.ala.org/tools/challengesupport/selectionpolicytoolkit/sampleforms>

Sample Public Library Request for Reconsideration of Material Form

The trustees of Mainstream Public Library have established a materials selection policy and a procedure for gathering input about particular items. Completion of this form is the first step in that procedure. If you wish to request reconsideration of a resource, please return the completed form to the library director.

Mainstream Library. 1 Mainstream Plaza. Anytown, State Zip

Date _____

Name _____

Address _____

City _____

State/Zip _____

Phone _____

Email _____

Do you represent self? Or an organization? Name of Organization _____

1. Resource on which you are commenting:

Book (e-book)

Magazine

Digital Resource

Newspaper

Movie

Audio Recording

Game

Other

Title _____

Author/Producer _____

2. What brought this resource to your attention?

3. Have you examined the entire resource? If not, what sections did you review?

Meeting Room Policy

Essential Considerations:

- Equitable access (can't keep groups out through unreasonable fees)
- Non-discriminatory (can't keep people out because of who they are)
- Public use of the meeting room is public (those who reserved it can't keep people out)
- Behavior policy is enforceable
- Your library is a limited public forum

What the Dickens is a Limited Public Forum?!



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American Library Association

Meeting Room Policy (1/2)

Should:

- State that the library does not endorse speech made by outside groups in their meeting rooms
- State why the library provides meeting rooms to the public

Should Not:

- Exclude any group based on the content of their speech
- Exclude religious groups including if they intend to engage in religious practices
- Exclude politicians or elected officials who intend to engage in political speech, meet with constituents, or discuss partisan views
- Impose fees that create an economic barrier to access

Meeting Room Policy (2/2)

Can Address:

- After-hours events
- Alcohol and drug consumption
- Food and beverage consumption
- Fees pertaining to cleaning, extra security, and use of equipment
- Consequences for not following policies
- Noise
- Prohibited items
- Restrictions on length of meetings
- Sales in the room
- Contract or written agreement for use
- Frequency of using a room

Patron Behavior Policy

Purpose:

To ensure the effective delivery of service and to provide full access to library resources, libraries should develop policies and procedures to address user behavior that may interfere with others' use of the library

Patron Behavior Policy (1/2)

Policies imposing restrictions on library access should:

- Apply only to activities that substantially interfere with the public's right of access to library facilities, the safety of users and staff, and the protection of library resources and facilities
- Be narrowly tailored so they are no more restrictive than needed to serve their objectives
- Be enforced consistently and not in a manner intended to benefit or disfavor any person or group
- Provide clear descriptions of prohibited behavior and consequences for engaging in that behavior
- Describe enforcement measures, due process, and fair warning

Patron Behavior Policy (2/2)

Policies imposing restrictions on library access should NOT:

- Target specific users or groups based upon an assumption or expectation that they might engage in behaviors that could disrupt library services
- Leave those affected without adequate alternative means of access to information through the library
- Be used to limit library users' access to constitutionally protected speech that may be considered controversial or objectionable by some
- Restrict access to the library by persons who merely inspire the anger or annoyance of others

Ethical Resources

- Public Library Trustee Ethics Statement: <https://www.ala.org/united/sites/ala.org.united/files/content/trustees/orgtools/Ethics%20Statement.pdf>
- Library Bill of Rights: <https://www.ala.org/advocacy/intfreedom/librarybill/>
- Interpretations of the Library Bill of Rights: <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations>
- Freedom to Read Statement: <https://www.ala.org/advocacy/intfreedom/freedomreadstatement>
- Library Code of Professional Ethics: <https://www.ala.org/tools/ethics>

Policy Resources

- Selection & Reconsideration Policy Toolkit:
<https://www.ala.org/tools/challengesupport/selectionpolicytoolkit>
- Meeting Rooms Q&A: <https://www.ala.org/advocacy/intfreedom/meetingroomsqa>
 - Add'l Limited Public Forum Info.: <https://www.oif.ala.org/auditing-the-first-amendment-at-your-public-library/>
- Library-Initiated Programs and Displays as a Resource:
<https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/programsdisplays>
- Policies Regarding User Behavior:
<https://www.ala.org/advocacy/intfreedom/guidelinesdevelopment>

Legal Resources

- New Jersey's Library Record Confidentiality Statutes: Title 18A § 73-43.1 and 73-43.2: <https://codes.findlaw.com/nj/title-18a-education/nj-st-sect-18a-73-43-1.html>
- New Jersey Library Law: https://www.njstatelib.org/services_for_libraries/resources/library_law/rule-proposals-notices-adoption/
- Notable First Amendment Court Cases: <https://www.ala.org/advocacy/intfreedom/censorship/courtcases>
- Speech in the Workplace Q&A: <https://www.ala.org/tools/ethics/workplacespeechqa>

Resources to Defend Our Freedom to Read

- Unite Against Book Bans: <https://uniteagainstbookbans.org/>
- Book Résumés: <https://bookresumes.uniteagainstbookbans.org/>
- Report Censorship: <https://www.ala.org/tools/challengesupport/report>
- Hateful Conduct in Libraries: Supporting Library Workers and Patrons: <https://www.ala.org/advocacy/hatefulconduct>
- Censorship by the Numbers: <https://www.ala.org/advocacy/bbooks/book-ban-data>
- Freedom to Read Foundation: <https://www.ftrf.org/page/About>
- The Leroy C. Merritt Humanitarian Fund: <https://www.ala.org/aboutala/affiliates/relatedgroups/merrittfund/merritthumanitarian/>

Questions?

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