The Library's Role in Protecting Teens' Privacy: A YALSA Position Paper

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Abstract

The rights of young people are regularly challenged across the country by schools, organizations and individuals.   Libraries, however, play a fundamental role in protecting the intellectual freedom rights of everyone, including teens. In a recent example of a challenge to adolescent rights, the FBI has proposed as set of guidelines for surveilling Internet use by at-risk students in secondary schools, in an attempt to prevent recruitment of youth in the United States by terrorist organizations on the Internet. Besides the lack of published evidence that this is a widespread problem or that being categorized as "at-risk" leads one to succumb to terrorist recruitment any more than other antisocial or self-harming behavior, the guidelines contradict the role of school librarians and staff in supporting the critical thinking and inquiry activities of 21st century learners. Furthermore, the guidelines promote increased surveillance of innocent students already overly surveilled in schools as well as in other contexts, which is an ongoing problem for students of color. Library staff in schools and public libraries are urged to adhere to the 21st century learner standards, to communicate their importance to administrators in protecting student privacy, and to resist unwarranted surveillance, as a professional social responsibility.

Background

As pointed out in *Intellectual Freedom News*[1], the FBI has announced plans to refer more suspects showing leanings toward becoming terrorists—particularly juveniles—to interventions by involving community leaders, educators, mental health professionals, religious leaders, parents and peers, depending on the circumstances.[2] In these cases, the FBI will not necessarily cease its criminal investigation and will remain alert to suspects who become dangerous or plan to travel to join extremists overseas. To assist this effort, the FBI has published guidelines for secondary school personnel regarding at-risk behaviors that serve as "drivers of violent extremism," to facilitate intervention activities that would disengage youth from them

While this may seem expedient from the FBI's law enforcement perspective, there is little published evidence that high schools are hotbeds of potential terrorist recruits. For example, the September 2015 report lists 54 "American foreign fighter aspirants and recruits" in Appendix II whose ages are listed. Of these 54, 3 are age 15-17 (all are from one Colorado family), and 2 are age 18 (both from Minnesota). Far more are over age 30.[3]

As noted in *Standards for the 21st Century Learner*[4], school librarians are expected to help students "make sense of information gathered from diverse sources by identifying misconceptions, main and supporting ideas, conflicting information, and point of view or bias." Given this standard, and the usual array of classroom assignments on contemporary issues in the school curriculum, it might be said that school librarians and staff and their instructional colleagues are already helping adolescents think critically about the information they find on the Internet, and do not necessarily need FBI interventions in the absence of direct evidence.

Position

The FBI Guidelines imply that there should be increased surveillance of adolescents deemed "at risk" by a variety of criteria, <u>especially those youth who use social media and the Internet to access information</u>. Given the changing demographics of the high school population, it is incumbent on school librarians and staff and their public library counterparts to remember that students of color (the ones usually considered most "at risk"), are already over surveilled online and in person in a variety of school and retail contexts.[5,6] Adding libraries to this list of surveilled institutions runs in direct opposition to the institution's mission as well as its attractiveness and usefulness to young people, and should not happen.

In addition to the role of school librarians as digital literacy instructors, the existence of the FBI Guidelines warrant a reminder that confidentiality of library records is a core value of librarianship. For libraries to flourish as centers for uninhibited access to information, library staff must stand between users' right to privacy and freedom of inquiry on the one hand and perceptions of prohibition (real or imagined) against their exercise on the other. Just as people who borrow murder mysteries are unlikely to be murderers, so there is no evidence that seeking information on the Internet about terrorism produces terrorists, regardless of age. Those seeking information on the Internet about terrorism are unlikely to be terrorists, and may only be looking for information for a school assignment. Library staff need to remember that being curious and being young does not automatically make one suspect, nor in-need of a mind-changing intervention, even among at-risk youth.

Besides Articles 1-3 in the *Library Bill of Rights*, the American Library Association (ALA) has stated that the privacy of user interactions, including those by young people, are to be protected,[7] that prohibitions on censorship apply to school library settings as well other types of libraries[8], and the use of online resources by youth is important[9], but none of these statements directly addresses the FBI concerns over the dangers of "at risk" status and access to specific types of information on the Internet.

Libraries have a strong history of promoting and preserving users' intellectual freedom rights, including privacy. Youth and their families depend on the library as a place for unfettered access to information. In order protect the privacy rights of teens, library staff should

- Refresh their knowledge of key documents, like the *Intellectual Freedom Manual* and *21st Century Learner Standards*
- Report challenges or violations of teens' privacy to ALA's Office for Intellectual Freedom via this online form: http://www.ala.org/tools/challengesupport/report (http://www.ala.org/tools/challengesupport/report)
- Embed educating teens and their parents and caregivers about their rights into library services and programming
- Keep up to date on privacy and surveillance issues through resources such as ALA's District Dispatch and the YALSAblog
- Seek out training on topics including but not limited to: privacy, students' rights, libraries' role in intellectual freedom, and how to leverage technology tools that protect privacy
- Participate in events such as the ALA Office for Intellectual Freedom's Choose Privacy Week, https://chooseprivacyweek.org/ (https://chooseprivacyweek.org/)
- Take advantage of technology that protects library patrons' privacy
- Make a commitment to reach out to and serve at-risk youth in the community and address their needs, whatever they may be

- Identify and work with community partners who are also committed to protecting teens' rights

Conclusion

Promoting intellectual freedom is at the core of what libraries do, and this is articulated in key publications from ALA, such as the *Intellectual Freedom Manual.* Therefore, resistance to excessive surveillance of Internet use in secondary schools by any young adults in the absence of direct evidence provided by law enforcement is a social responsibility of library staff in and out of school settings.[10] Library staff should ensure that teens' intellectual freedom rights are protected, and work with administrators, educators and other stakeholders to protect teens' privacy.

Sources Consulted

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3. Homeland Security Committee. *Final Report of the Task Force on Combating Terrorist and Foreign Fighter Travel*. (September, 2015) https://homeland.house.gov/wp-content/uploads/2015/09/TaskForceFinalReport.pdf (https://homeland.house.gov/wp-content/uploads/2015/09/TaskForceFinalReport.pdf)

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6. Hackman, Rose, "Is the Online Surveillance of Teenagers the New Stop and Frisk?" *The Guardian* (April 23, 2015) https://www.theguardian.com/us-news/2015/apr/23/online-surveillance-black-teenagers-new-stop-and-frisk (https://www.theguardian.com/us-news/2015/apr/23/online-surveillance-black-teenagers-new-stop-and-frisk)

7. *Privacy: An Interpretation of the Library Bill of Rights*. Adopted June 19, 2002, by the ALA Council; amended on July 1, 2014. http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy (http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy)

8. *Access to Resources and Services in the School Library Media Program:* An *Interpretation of the Library Bill of Rights*. 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. http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/accessresources (http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/accessresources)

9. *Minors and Internet Activity: An Interpretation of the Library Bill of Rights*. Adopted July 15, 2009, by the ALA Council%3B amended on July 1, 2014 ().
http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/minors-internet-activity (http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/minors-internet-activity)

10. "Social Responsibility," in *Core Professional Values for the Teen Services Profession*.
http://www.ala.org/yalsa/core-professional-values-teen-services-profession (http://www.ala.org/yalsa/core-professional-values-teen-services-profession)

Selected Additional Resources

Digital Literacy, http://wikis.ala.org/yalsa/index.php/Adolescent_Literacy#Digital_Literacy (http://wikis.ala.org/yalsa/index.php/Adolescent_Literacy#Digital_Literacy)

Digital Security, http://www.theworldisaterribleplace.com/ohcrap/the-legal-system-and-you/digital-security/ (http://www.theworldisaterribleplace.com/ohcrap/the-legal-system-and-you/digital-security/)

Library Privacy Guidelines for Students in K – 12 Schools, http://www.ala.org/advocacy/library-privacy-guidelines-students-k-12-schools (http://www.ala.org/advocacy/library-privacy-guidelines-students-k-12-schools)

Privacy and Confidentiality Resources, http://www.ala.org/advocacy/privacyconfidentiality/privacy/privacyconfidentiality (http://www.ala.org/advocacy/privacyconfidentiality/privacy/privacyconfidentiality)

Privacy Toolkit, http://www.ala.org/advocacy/privacyconfidentiality/toolkitsprivacy/privacy (http://www.ala.org/advocacy/privacyconfidentiality/toolkitsprivacy/privacy)

Privacy Toolkit for Librarians, https://libraryfreedomproject.org/resources/privacytoolkit/ (https://libraryfreedomproject.org/resources/privacytoolkit/)

Relationships Matter: Strengthening Vulnerable Youth, http://www.theinnovationcenter.org/files/RelationshipsMatter.pdf (http://www.theinnovationcenter.org/files/RelationshipsMatter.pdf)

Serving At-Risk Youth, http://schoolengagement.org/school-engagement-services/at-risk-youth (http://schoolengagement.org/school-engagement-services/at-risk-youth)

Student Speech and Privacy, https://www.aclu.org/issues/free-speech/student-speech-and-privacy (https://www.aclu.org/issues/free-speech/student-speech-and-privacy)

Students' and Minors' Privacy: Selected Resources, https://chooseprivacyweek.org/students-and-minors-privacy/ (https://chooseprivacyweek.org/students-and-minors-privacy/)

Students' Rights and Responsibilities in a Digital Age: a Guide for Public School Students in Washington State, https://aclu-wa.org/student-rights-and-responsibilities-digital-age-guide-public-school-students-washington-state (https://aclu-wa.org/student-rights-and-responsibilities-digital-age-guide-public-school-students-washington-state)

What is a CryptoParty?, https://www.cryptoparty.in/ (https://www.cryptoparty.in/)

Working with Vulnerable Youth, http://www.officeforyouth.sa.gov.au/__data/assets/pdf_file/0003/15771/Working-with-Vulnerable-Youth.pdf (http://www.officeforyouth.sa.gov.au/__data/assets/pdf_file/0003/15771/Working-with-Vulnerable-Youth.pdf)

Youth Online Safety Guide, https://libraryfreedomproject.org/ (https://libraryfreedomproject.org/)

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