

53.1.4

At the 2008 ALA Annual Conference, upon recommendation by the Council Intellectual Freedom Committee, the ALA Council adopted the following revision to ALA Policy 53.1.4. which read:

53.1.4 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. Adopted 1972, amended 1981, 1992, 2004, and 2008.

(See "Policy Reference File": Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights, revised, 2007-2008 ALA CD#19.7.)

Free Access to Libraries for Minors

An Interpretation of the Library Bill of Rights

Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services 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.

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, nonprint, or digital format. 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.¹ 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 material is not 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.

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.

See also Access to Resources and Services in the School Library Media Program and Access to Children and Young Adults to Nonprint Materials.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004.

¹ 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).

Old 53.1.7

2003-2004 ALA CD#19.7
2004 ALA Annual Conference

FREE ACCESS TO LIBRARIES FOR MINORS

An Interpretation of the LIBRARY BILL OF RIGHTS

Library policies and procedures which 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.

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 developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities which 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, level of education, educational level, literacy skills, or legal emancipation.

~~The selection and development of library resources should not be diluted because of minors having the same access to library resources as adult users. 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 in the library. 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.¹ 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 material is not constitutionally protected.

~~Librarians and governing bodies should not resort to age restrictions on access to library resources in an effort to avoid actual or anticipated objections from parents or anyone else—The mission, goals, and objectives of libraries do not cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents or legal~~

*Amended by Council
at the 2004 Annual Conference 6/30/04*

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 governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources. Parents or legal guardians 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. Librarians and governing bodies have a public and professional obligation to provide equal access to all library resources for all library users.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation. Librarians have a professional commitment to ensure that all members of the community they serve have free, and 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.

¹See 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 [422 U.S. 205, 214] 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 Tinker v. Des Moines School Dist., *supra*. Cf. West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (1943).”

Adopted June 30, 1972; amended July 1, 1981; July 3, 1991, by the ALA Council.

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D/c 53.1.4

FREE ACCESS TO LIBRARIES FOR MINORS

An Interpretation of the LIBRARY BILL OF RIGHTS

Library policies and procedures which effectively deny minors equal 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.

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, or legal emancipation of users violates Article V.

Libraries are charged with the mission of developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities which 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, level of education, or legal emancipation.

The selection and development of library resources should not be diluted because of minors having the same access to library resources as adult users. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Librarians and governing bodies should not resort to age restrictions on access to library resources in an effort to avoid actual or anticipated objections from parents or anyone else. The mission, goals, and objectives of libraries do not authorize librarians or governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents or legal guardians. Librarians and governing bodies should maintain that parents - and only parents - have the right and the responsibility to restrict the access of their children - and only their children - to library resources. Parents or legal guardians who do not want their children to have access to certain library services, materials or facilities, should so advise their children. Librarians and 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 have a public and professional obligation to provide equal access to all library resources for all library users.

Librarians have a professional commitment to ensure that all members of the community they serve have free and equal 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 governing bodies must uphold this principle in order to provide adequate and effective service to minors.

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53.1.3.

see also

53.1.5

see add 103.4.3

FREE ACCESS TO LIBRARIES FOR MINORS

An Interpretation of the LIBRARY BILL OF RIGHTS

Some library procedures and practices effectively deny minors access to certain services and materials available to adults. Such procedures and practices are not in accord with the LIBRARY BILL OF RIGHTS and are opposed by the American Library Association.

Restrictions take a variety of forms, including, among others, restricted reading rooms for adult use only, library cards limiting circulation of some materials to adults only, closed collections for adult use only, collections limited to teacher use, or restricted according to a student's grade level, and interlibrary loan service for adult use only.

Article 5 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." All limitations on minors' access to library materials and services violate that Article. The "right to use a library" includes use of, and access to, all library materials and services. Thus, practices which allow adults to use some services and materials which are denied to minors abridge the use of libraries based on age.

Material selection decisions are often made and restrictions are often initiated under the assumption that certain materials may be "harmful" to minors, or in an effort to avoid controversy with parents. Libraries or library boards who would restrict the access of minors to materials and services because of actual or suspected parental objections should bear in mind that they do not serve in loco parentis. Varied levels of intellectual development among young people and differing family background and child-rearing philosophies are significant factors not accommodated by a uniform policy based upon age.

In today's world, children are exposed to adult life much earlier than in the past. They read materials and view a variety of media on the adult level at home and elsewhere. Current emphasis upon early childhood education has also increased opportunities for young people to learn and to have access to materials, and has decreased the validity of using chronological age as an index to the use of libraries. The period of time during which children are interested in reading materials specifically designed for them grows steadily shorter, and librarians must recognize and adjust to this change if they wish to serve young people effectively. Librarians have a responsibility to ensure that young people have access to a wide range of informational and recreational materials and services that reflects sufficient diversity to meet the young person's needs.

The American Library Association opposes libraries restricting access to library materials and services for minors and holds that it is the parents -- and only parents -- who may restrict their children -- and only their children -- from access to library materials and services. Parents who would rather their children did not have access to certain materials should so advise their children. The library and its staff are responsible for providing equal access to library materials and services for all library users.

The word "age" was incorporated into Article 5 of the LIBRARY BILL OF RIGHTS because young people are entitled to the same access to libraries and to the materials in libraries as are adults. Materials selection should not be diluted on that account.

Adopted June 30, 1972; amended July 1, 1981, by the ALA Council.

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AMERICAN LIBRARY ASSOCIATION

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Restrictions take a variety of forms, including, among others, restricted reading rooms for adult use only, library cards limiting circulation of some materials to adults only, closed collections for adult use only, and inter-library loan service for adult use only.

All limitations in minors' access to library materials and services violate Article V of the LIBRARY BILL OF RIGHTS, which states that, "The rights of an individual to the use of a library should not be denied or abridged because of his age...". Limiting access to some services and materials to only adults abridges the use of libraries for minors. "Use of the library" includes use of, and access to, all library materials and services..

Restrictions are often initiated under the assumption that certain materials are "harmful" to minors, or in an effort to avoid controversy with parents who might think so. The librarian who would restrict the access of minors to materials and services because of actual or suspected parental objection should bear in mind that he is not IN LOCO PARENTIS in his position as librarian. Individual intellectual levels and family backgrounds are significant factors not accommodated by a uniform policy based upon age.

In today's world, children are exposed to adult life much earlier than in the past. They read materials and view a variety of media on the adult level at home and elsewhere. Current emphasis upon early childhood education has also increased opportunities for young people to learn and to have access to materials, and has decreased the validity of using chronological age as an index to the use of libraries. The period of time during which children are interested in reading materials specifically designed for them grows steadily shorter, and librarians must recognize and adjust to this change if they wish to maintain the patronage of young people.

AMERICAN LIBRARY ASSOCIATION

Item: INTELLECTUAL FREEDOM Item Number: 103.4.8
Approved by: ALA Council Page: 2 of 2
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The American Library Association holds that it is the parent--and only the parent-- who may restrict his children--and only HIS children--from access to library materials and services. The parent who would rather his child did not have access to certain materials should so advise the child.

The word "age" was incorporated into Article V of the LIBRARY BILL OF RIGHTS as a direct result of a pre-conference entitled "Intellectual Freedom and the Teenager," held in San Francisco in June, 1967. One recommendation of the preconference participants was, "That free access to all books in a library collection be granted to young people." The preconference generally concluded that young people are entitled to the same access to libraries and to the materials in libraries as are adults and that materials selection should not be diluted on that account.

This does not mean, for instance, that issuing different types of borrowers' cards to minors and adults is, PER SE, contrary to the LIBRARY BILL OF RIGHTS. If such practices are used for purposes of gathering statistics, the various kinds of cards carry no implicit or explicit limitations on access to materials and services. Neither does it mean that maintaining separate children's collections is a violation of the LIBRARY BILL OF RIGHTS, provided that no patron is restricted to the use of only certain collections.

The Association's position does not preclude isolating certain materials for legitimate protection of irreplaceable or very costly works from careless use. Such "restricted-use" areas as rare book rooms are appropriate if the materials so classified are genuinely rare, and not merely controversial.

Unrestrictive selection policies, developed with care for principles of intellectual freedom and the LIBRARY BILL OF RIGHTS, should not be vitiated by administrative practices which restrict minors to the use of only part of a library's collections and services.