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Access for Children and Young Adults to Nonprint Materials

An Interpretation of the Library Bill of Rights

Library collections of nonprint materials raise a number of intellectual freedom issues, especially regarding minors. 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 American Library Association's principles protect minors' access to sound, images, data, games, software, and other content in all formats such as tapes, CDs, DVDs, music CDs, computer games, software, databases, and other emerging technologies. ALA's **Free Access to Libraries for Minors: An Interpretation** of the Library Bill of Rights states:

. . . 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.

. . . [P]arents—and only parents—have the right and responsibility to restrict access of their children—and only their children—to library resources. Parents 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.

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.

Policies that set minimum age limits for access to any nonprint materials or information technology, with or without parental permission, abridge library use

for minors. Age limits based on the cost of the materials are also unacceptable. Librarians, when dealing with minors, should apply the same standards to circulation of nonprint materials as are applied to books and other print materials except when directly and specifically prohibited by law.

Recognizing that librarians cannot act *in loco parentis*, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children's reading and viewing. Libraries should provide published reviews and/or reference works that contain information about the content, subject matter, and recommended audiences for nonprint materials. These resources will assist parents in guiding their children without implicating the library in censorship.

In some cases, commercial content ratings, such as the **Motion Picture Association of America** (MPAA) movie ratings, might appear on the packaging or promotional materials provided by producers or distributors. However, marking out or removing this information from materials or packaging constitutes expurgation or censorship.

MPAA movie ratings, **Entertainment Software Rating Board** (ESRB) game ratings, and other rating services are private advisory codes and have no legal standing (**Expurgation of Library Materials**). For the library to add ratings to nonprint materials if they are not already there is unacceptable. It is also unacceptable to post a list of such ratings with a collection or to use them in circulation policies or other procedures. These uses constitute labeling, "an attempt to prejudice attitudes" (**Labels and Rating Systems**), and are forms of censorship. The application of locally generated ratings schemes intended to provide content warnings to library users is also inconsistent with the Library Bill of Rights.

The interests of young people, like those of adults, are not limited by subject, theme, or level of sophistication. Librarians have a responsibility to ensure young people's access to materials and services that reflect diversity of content and format sufficient to meet their needs.

Adopted June 28, 1989, by the ALA Council; amended June 30, 2004.

[ISBN 8389-7351-5]

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Access for Children and Young Adults to Nonprint Materials
(PDF File)

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At their spring 2004 meeting, the IFC initiated a review of all *Library Bill of Rights* Interpretations as well as the various policies, guidelines, and statements that are included in the *Intellectual Freedom Manual*. The Committee identified eight Interpretations and three policies for revision. Seven Interpretations and one policy were edited for grammar and the accuracy of references.

During its work on the Interpretations and policies identified for revision the Committee reviewed each one to ensure that it begins and ends with strength and clarity, that the first and last paragraphs support each other, that the order of the paragraphs makes sense and reflects relative importance, and that the entire document supports the library profession's philosophy and principles of intellectual freedom. In addition, the Committee attempted to use language that is both specific enough to be practical and general enough to avoid being immediately outdated. Committee members agreed to continue to develop and update guidelines and question-and-answer documents to address the more rapidly changing aspects of intellectual freedom issues.

In response to concerns about the impact of the digital divide on access to information, the Committee expanded "equal access" to "equal and equitable access" whenever it was appropriate to do so. When asked to explain this change, Committee chair Nancy Kranich provided an example of the importance of including both terms:

The SEC [Securities Exchange Commission] had one reading room in the old days to read all those filings. Everyone had *equal* access to the reading room in New York City, but it wasn't *equitable* access for those who had to pay to come to New York City. It is important to include *equitable* because *equal* is not about the digital divide and *equitable* is; it is crucial to remind people that the digital divide still exists.

At the 2004 Annual Conference, after circulating proposed changes to ALA units, liaisons, and chapters, and discussing all comments received, the IFC presented Council with recommendations for changes in the following Interpretations and policies:

- The title "Access for Children and Young People to Videotapes and Other Nonprint Formats" was changed

to "Access for Children and Young Adults to Nonprint Materials" to keep the Interpretation from becoming outdated as a result of technology and terminology changes.

- The title "Access to Library Resources and Services regardless of Gender or Sexual Orientation" was changed to "Access to Library Resources and Services regardless of Sex, Gender Identity, or Sexual Orientation" to more accurately describe the applicability of the Interpretation. Appropriate passages in the Interpretation were revised to reflect this change.
- "Exhibit Spaces and Bulletin Boards" was changed for clarity concerning the option of limiting the use of space to library-related activities.
- "Free Access to Libraries for Minors," concerning the rights of minors, was strengthened, including the addition of a reference to the legal basis for those rights. The section on the responsibility of parents was revised to include a statement from Libraries: An American Value.
- Policy on Governmental Intimidation was changed for inclusion and clarity.
- The Freedom to Read statement was changed to include censorship or suppression based on concerns about safety or national security. The word "citizens" was changed to "others," "individuals," or "Americans" as appropriate. In addition, two references to censors that were unnecessary for the message of the statement were removed.
- "Restricted Access to Library Materials" was edited for clarity and conciseness.
- A new first paragraph was added to Policy concerning Confidentiality of Personally Identifiable Information about Library Users. It consisted of the definitions of privacy and confidentiality from "Privacy: An Interpretation of the *Library Bill of Rights*." The remaining paragraphs were reordered for strength and clarity.

At the 2005 Midwinter Meeting, the IFC completed its review of policies by recommending to Council changes in the following Interpretations and policies:

- "Access to Electronic Information" was changed for clarity, consistency of terminology. Referring to the right to receive information and the right of protected information. To bring the Interpretation into line with the right to receive information.
- At the request of the ALA, the title of "Access to Library Resources and Services Program," the term "statement" was replaced with "section." The description of the section was expanded from resources to include "materials that support personal development, intellectual needs of students."
- The title of "Statement on Labels and Rating" reflects the scope of the statement to distinguish between labels and labels designed to inform. The Committee acknowledges about how this Interpretation online library catalogs, book jackets and advisory reading lists. To address issues that may arise, the Committee and-answer document.

Following are those documents from the Freedom Committee as included along with background information and history of each. For convenience, they are presented in alphabetical order to the American Library Association Council.

1988-89 CD# 92.6
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ACCESS FOR CHILDREN AND YOUNG PEOPLE TO VIDEOTAPES
AND OTHER NONPRINT FORMATS

53.1.13

An Interpretation of the LIBRARY BILL OF RIGHTS

Library collections of videotapes, motion pictures, and other nonprint formats raise a number of intellectual freedom issues, especially regarding minors.

The interests of young people, like those of adults, are not limited by subject, theme, or level of sophistication. Librarians have a responsibility to ensure young people have access to materials and services that reflect diversity sufficient to meet their needs.

To guide librarians and others in resolving these issues, the American Library Association provides the following guidelines.

Article V of the LIBRARY BILL OF RIGHTS says, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

ALA's FREE ACCESS TO LIBRARIES FOR MINORS: An Interpretation of the LIBRARY BILL OF RIGHTS states:

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.

. . . [P]arents - 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.

Policies which set minimum age limits for access to videotapes and/or other audiovisual materials and equipment, with or without parental permission, abridge library use for minors. Further, age limits based on the cost of the materials are unacceptable. Unless directly and specifically prohibited by law from circulating certain motion pictures and video productions to minors, librarians should apply the same standards to circulation of these materials as are applied to books and other materials.

Recognizing that libraries cannot act *in loco parentis*, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children's reading and viewing. Published reviews of films and videotapes and/or reference works which provide information about the content, subject matter, and recommended audiences can be made available in conjunction with nonprint collections to assist parents in guiding their children without

implicating the library in censorship. This material may include information provided by video producers and distributors, promotional material on videotape packaging, and Motion Picture Association of America (MPAA) ratings if they are included on the tape or in the packaging by the original publisher and/or if they appear in review sources or reference works included in the library's collection. Marking out or removing ratings information from videotape packages constitutes expurgation or censorship.

MPAA and other rating services are private advisory codes and have no legal standing*. For the library to add such ratings to the materials if they are not already there, to post a list of such ratings with a collection, or to attempt to enforce such ratings through circulation policies or other procedures constitutes labeling, "an attempt to prejudice attitudes" about the material, and is unacceptable. The application of locally generated ratings schemes intended to provide content warnings to library users is also inconsistent with the LIBRARY BILL OF RIGHTS.

*For information on case law, please contact the ALA Office for Intellectual Freedom.

See also: STATEMENT ON LABELING and EXPURGATION OF LIBRARY MATERIALS, Interpretations of the LIBRARY BILL OF RIGHTS.

Adopted June 28, 1989, by the ALA Council; the quotation from FREE ACCESS TO LIBRARIES FOR MINORS was changed after Council adopted the July 3, 1991, revision of that Interpretation.

[ISBN 8389-7351-5]