ALA Intellectual Freedom Committee
Report to Council
2018 ALA Annual
New Orleans, Louisiana
Tuesday, June 26, 2018

The ALA Intellectual Freedom Committee (IFC) is pleased to present this update of its activities.

INFORMATION

New IFC liaisons

With a goal to bring more perspectives and voices to its discussions about intellectual freedom issues, the IFC has been reaching out and will continue to reach out to round tables, divisions, affiliates and groups to ask if members are interested in serving on the committee as a liaison. After ALA Annual Conference, the committee will have representatives from nine divisions, two committees and three round tables. The committee also relies on the support from intellectual freedom advocates who volunteer their time. During the “Intellectual Freedom 101” session at ALA Annual Conference, IFC Chair Helen Adams invited all those interested in intellectual freedom to join the committee’s projects as volunteers.

If anyone is interested in joining the committee as a liaison or volunteer, please contact incoming chair Julia Warga (wargaj@kenyon.edu).

Recognition of Intellectual Freedom Committee Members

IFC Chair Helen Adams and members Robin Bradford, Teresa Doherty, Clem Guthro, Jo Rolfe, and Keila Zayas-Ruiz are concluding their terms on the Intellectual Freedom Committee. We would like to thank these outgoing IFC members for their commitment, time, and advocacy. We would also like to acknowledge and highlight the work of Adams, who led the working group that reviewed all intellectual freedom documents to be included in the revised edition of the Intellectual Freedom Manual. We are gratified that Adams will continue to serve as a member of the committee for the next two years. Adams’ championing of intellectual freedom, especially in school libraries, will inspire emerging intellectual freedom leaders.

Journal of Intellectual Freedom & Privacy

Shannon M. Oltmann, associate professor in the School of Information Science at the University of Kentucky, has been appointed editor of the Journal of Intellectual Freedom and Privacy. The Journal of Intellectual Freedom and Privacy, a quarterly journal published by OIF, provides a forum for discourse on intellectual freedom and privacy issues arising in libraries, archives and educational institutions.
Intellectual Freedom Manual

Editor Martin Garnar and Assistant Editor Trina Magi are compiling the 10th edition of the Intellectual Freedom Manual. The manual will be 10% longer to accommodate new and revised Library Bill of Rights interpretations and essays from intellectual freedom leaders.

An IFC working group reviewed all of ALA’s intellectual freedom documents to determine whether they needed updates before the new Intellectual Freedom Manual is published. Simultaneously, another IFC working group was formed to complete the revisions, with a deadline to propose all updates to ALA Council by ALA Annual Conference 2019. To ensure revised documents are consistent in format and grammar, the committee adopted an intellectual freedom style guide, which combines ALA Editions style guide and the Chicago Manual of Style (16th edition), and includes preferred library terminology.

The committee is proposing three interpretation revisions for adoption at ALA Annual Conference 2018.

Privacy Subcommittee and Choose Privacy Week

To complete privacy projects and address evolving privacy concerns, the IFC voted to increase the size of the Privacy Subcommittee from six members to eight members, with the proposed new members having a two-year appointment with a second two-year appointment possible.

ALA’s “Choose Privacy Week” website unveiled a new look and a new URL this month. “Choose Privacy Every Day” (chooseprivacyeveryday.org) continues to serve as a central, go-to reference on privacy for librarians, library patrons, and the public. The rebranding emphasizes the importance of preserving patron privacy and data security in today’s libraries every day of the year.

With the theme “Big Data is Watching You,” Choose Privacy Week 2018 kicked off with a webinar that offered libraries detailed guidance on conducting privacy audits, while an online symposium considered the ethics and issues raised by the use of “big data” in libraries. The subcommittee continued the theme at ALA Annual, partnering with the Intellectual Freedom Round Table to host the chair’s program “Big Data: Friend or Foe?” and partnering with the LITA Patron Privacy Interest Group to sponsor “Defense Against the Dark Arts: Techniques and Practices to Protect User Privacy When Conducting Data Analytics.”

National Library Week – Top 10 Challenged Books of 2017

In April, the Office for Intellectual Freedom released the list of the Top 10 Most Challenged Books of 2017 in the State of America’s Libraries Report. The list is compiled from censorship incidents reported in the media, and reports submitted directly to the office. This year, the office called attention to challenges to materials other than books, such as DVDs, magazines, programs, databases, and displays.
OIF tracked 354 challenges to library, school and university resources and services in 2017. Of the 416 books challenged or banned in 2017, the Top 10 Most Challenged Books are:

1. *Thirteen Reasons Why*, written by Jay Asher
2. *The Absolutely True Diary of a Part-Time Indian*, written by Sherman Alexie
3. *Drama*, written and illustrated by Raina Telgemeier
4. *The Kite Runner*, written by Khaled Hosseini
5. *George*, written by Alex Gino
6. *Sex is a Funny Word*, written by Cory Silverberg and illustrated by Fiona Smyth
7. *To Kill a Mockingbird*, written by Harper Lee
8. *The Hate U Give*, written by Angie Thomas
9. *And Tango Makes Three*, written by Peter Parnell and Justin Richardson and illustrated by Henry Cole
10. *I Am Jazz*, written by Jessica Herthel and Jazz Jennings and illustrated by Shelagh McNicholas

Books on the Top 10 list have a child, teen or young adult audience. Unlike last year’s list when Bill Cosby’s *Little Bill* series was No. 9 because of misconduct allegations against the author, Sherman Alexie and Jay Asher were challenged in 2017 because of the content of their books.

The Top 10 list, promotional video, infographics, shareable images, talking points, and advocacy stories were published on the online Top 10 Toolkit webpage. Descriptions of challenges that were reported in the news can be found in the *Field Report 2017: Banned and Challenged Books*, written by OIF staff.

**CENSORSHIP TRENDS AND RECENT CHALLENGES**

In 2018, OIF has tracked nearly 130 challenges to library and school resources and services in its database. During GLBT Book Month, there has been an increase in challenges to LGBT book displays and drag queen storytimes. There have been reports of material removals, self-censorship, and program cancellations because of allegations that the authors had engaged in misconduct.

These censorship trends may be addressed in future resources from IFC, such as interpretations, guidelines, and Q&As. The following are a few notable cases of public challenges OIF has documented since January 1, 2018.

**Material Challenges**

More than 300 people signed a petition to label and separate materials with LGBT content in an Iowa public library. A flyer was distributed to community members that argued the library was distributing “homosexual/transgender promoting materials … some aimed at pre-K kids, using your tax dollars!” OIF and the Iowa Library Association sent a letter to the library board of trustees, stating, “We extend our full support to the director and librarians of the Orange City Public Library, who work to select a diverse range of materials for the collection without shying
away from potentially controversial subjects. We encourage their continued excellent service to all the members of their community, whether straight or gay, who have made a home in Orange City and pay taxes in Orange City.” The library board later decided to group books by subject and subcategory rather than alphabetical order by author’s name.

Author Carmen Maria Machado tweeted that an incarcerated woman in Missouri was denied access to her book *Her Body and Other Parties* because it “contains inappropriate sexual behaviors, sexually explicit materials and pictures.” In Florida, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* was banned because it presented a security threat and was filled with “racial overtures,” according to a form from the prison system’s literature review committee. In Illinois, Human Rights Defense Center filed a lawsuit against the state’s Department of Corrections, alleging that the censorship of HRDC’s publications mailed to Illinois prisoners was a constitutional violation.

Student journalists in a Texas high school wrote an editorial that criticized the administration’s decision to remove *A Separate Peace* from the curriculum. The editorial was reportedly censored, along with two other news pieces, for “not uplifting” students and not reflecting student opinions. The principal also decided not to renew the contract of the nationally acclaimed newspaper adviser, whose students received more than 175 state and national journalism awards in 2017.

**Hate Crimes**

There have been more than 40 hate crimes in libraries recorded since November 2016. Three of these have occurred in 2018. One included a swastika and the word “heil” written on a bulletin board in an Illinois public library.

**Displays**

An Illinois public library removed a poetry display titled “Hijab Means Jihad” after it was criticized for being Islamophobic. Superimposed atop a Confederate flag, the poem starts, “Every kid should be like my kid / And snatch a hijab.” OIF Director James LaRue discussed the satirical piece in the OIF Blog post “First They Come for the Poets”: “There really are anti-Islamic and misogynistic sentiments in the world. It’s to the credit of the Aurora community that many within it want to make a strong statement against bigotry, and in favor of a more welcoming and inclusive environment. But the art itself neither creates bigotry, nor endorses it.”

**Social media**

Administrators at a Delaware school deleted Facebook comments that criticized the school district’s position on student protests.
Programs & Author Disinvitations

Avid Bookshop shut down its school book fair in Georgia when a school administrator told the booksellers to hide *The Best Man* by Richard Peck, which features LGBT characters. A school director requested that all book fair materials be reviewed by the administration for “objectionable” content.

In January, author Jay Asher tweeted that he was disinvited from an Illinois public library because administration thought he was too controversial. In February, Asher was disinvited from participating in programs at a New York school because of misconduct allegations.

A street preacher filmed himself interrupting a drag queen story time at an Alaska library. In response, the participants and performers sang louder than the protester could yell, and he was escorted out.

Meeting Rooms

Environmental activist Derrick Jensen rented a meeting room at an Oregon public library to talk about his books after he was disinvited from a conference for his alleged transphobic views. Protest organizers reported to the Eugene Weekly that around 100 people (out of the 150 attendees) at the event were protesters. One protestor was arrested.

INITIATIVES

Intellectual Freedom Advocacy Boot Camp

A joint initiative of OIF and the Office for Library Advocacy, Advocacy Bootcamp has trained 600 participants in messaging, networking, intellectual freedom, and community engagement strategies since its launch in fall 2016. The core boot camp trainers have expanded from OIF Director James LaRue and OLA Director Marci Merola, to a five-person staff team. By the end of 2018, the bootcamp will have reached 32 states and trained nearly 1,000 advocates.

Banned Books Week 2018

The Banned Books Week 2018 theme — revealed during National Library Week — is “Banning Books Silences Stories. Speak Out!” The ten sponsor organizations of the Banned Books Week Coalition also adopted this theme. ALA products include customizable posters, digital downloads, the annual Field Report, bumper stickers, and bookmarks. OIF plans to promote a banned author letter writing campaign to celebrate Banned Books Week 2018.
IFC PROJECTS AND WORKING GROUPS

IFC Conference Programming Working Group

The committee hosted “Fake News or Free Speech: Is There a Right to be Misinformed?” at ALA Annual Conference. At the panel, 150 attendees packed into a room to hear expert panelists from library, legal, and literacy backgrounds discuss whether fake news is protected by the First Amendment, and whether suppressing fake news can undermine democracy. During IFC meetings, the Programming Working Group discussed potential program ideas to submit for ALA Annual Conference 2019.

Controversial Programs and Speakers Q&A

Since Annual Conference 2017, an IFC working group has been preparing a Q&A in response to author disinvitations, speaker protests, and program cancellations at libraries and universities. "Responding to and Preparing for Controversial Programs and Speakers Q&A” offers strategies and resources for libraries to address community concerns and prepare for potentially controversial library-initiated events. The Q&A is divided into four sections: representation of all views at library programs, disinvited speakers and authors, dealing with protests and speakers, and security for programs and events. The Q&A was approved by IFC at this ALA Annual Conference and will be published online as an intellectual freedom resource. It is attached to this report as an information item.

Social Media Guidelines

"Social Media Guidelines for Public and Academic Libraries" provides a policy and implementation framework for public and academic libraries that use social media. It includes suggestions for creating social media policies but is not intended as a comprehensive list of requirements or legal advice. Topics include staff responsibilities, acceptable behavior, privacy, and reconsideration forms. The guidelines were approved by IFC during this ALA Annual Conference and will be published online as an intellectual freedom resource. It is attached to this report as an information item.


In anticipation of the new edition of the Intellectual Freedom Manual, the Intellectual Freedom Manual Review Working Group was established at the 2018 ALA Midwinter Meeting to review intellectual freedom documents and sort them into revision categories. The group found that 10 documents needed no revisions, 13 needed minor to major revisions, 8 needed citation/format updates, and 5 needed further discussion within the committee.

“Meeting Rooms: An Interpretation of the Library Bill of Rights”

The IFC Intellectual Freedom Manual Review Working Group determined that the 1991 “Meeting Rooms” interpretation needed major revisions. The committee strengthened the interpretation by adding footnotes with legal citations; expanding the text on the purpose of meeting rooms; and clarifying the description of admission fees. The committee plans to also create a Q&A that addresses specific questions that were brought up in comments from the library community when the draft was distributed for feedback.

The original interpretation and its proposed revisions were posted on ALA Connect and distributed to ALA Council and the ALA community. The working group has taken each comment into consideration.

“Library-Initiated Programs as a Resource: An Interpretation of the Library Bill of Rights”

The IFC Intellectual Freedom Manual Review Working Group determined that “Library-Initiated Programs as a Resource” interpretation, adopted in 1982 and amended in 1990 and 2000, needed minor revisions. The committee added a statement supporting and meeting the needs of people with disabilities; expanded the statement for programming that reflects the diversity of communities; and addressed the cancelation of programs because of controversy.

The original interpretation and its proposed revisions were posted on ALA Connect and distributed to ALA Council and the ALA community. The working group has taken each comment into consideration.

“Services to People with Disabilities: An Interpretation of the Library Bill of Rights”

The IFC established a working group to craft a document that addressed comments from ASCLA on “Equity, Diversity, Inclusion: An Interpretation of the Library Bill of Rights,” adopted by ALA Council in 2017. The working group revised the 2009 Library Bill of Rights interpretation “Services to Persons with Disabilities,” reformatting it to made clear connections between each Library Bill of Rights article and how libraries provide services to people with disabilities. The interpretation contains guidance on collections, vendors, technology, training, censorship, and partnerships.

The original interpretation and the proposed revisions were posted on ALA Connect and distributed to ALA Council and the ALA community for comment. The working group has taken each comment into consideration.
ACTION ITEMS

The Intellectual Freedom Committee moves the adoption of the following action items:

CD # 19.6, “Meeting Rooms: An Interpretation of the Library Bill of Rights”
CD # 19.7 “Library-Initiated Programs as a Resource: An Interpretation of the Library Bill of Rights”
CD # 19.8 “Services to People with Disabilities: An Interpretation of the Library Bill of Rights”

In closing, the Intellectual Freedom Committee thanks the division and chapter intellectual freedom committees, the Intellectual Freedom Round Table, the unit liaisons, and the OIF staff for their commitment, assistance, and hard work.

Respectfully Submitted,

ALA Intellectual Freedom Committee

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Social Media Guidelines for Public and Academic Libraries

Approved by the Intellectual Freedom Committee in June 2018

Policy intent

The American Library Association has adopted the Library Bill of Rights and interpretations of the Library Bill of Rights to provide library governing authorities, librarians, other library staff, and library users with guidelines on how constitutional principles apply to U.S. libraries.

This document provides a policy and implementation framework for public and academic libraries engaging in the use of social media. The following information is provided solely as a guideline for creating a social media policy and is not intended as a comprehensive list of requirements or legal advice. Please consult legal counsel and your governing body for the approval of your policy statements.

Definitions

Social media

“Social media” is defined by Merriam Webster Dictionary as “forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).” Libraries participate in social media for many reasons but primarily to communicate information about library services and resources, and to engage with their communities. Social media sites may have their own terms of service, privacy, acceptable behavior, and stated consequences for violating those terms of service. Users can post their own content or respond to what has already been posted.

Designated public forum

Libraries are under no legal obligation to participate in social media, nor are they required to host public conversations. A library could choose, for instance, to solely participate in one-way communication, that is, to make announcements and not seek or respond to questions or comments. But once a public library or publicly funded academic library does invite conversation, it may be considered to have established a designated public forum. As of 2018, the courts are just beginning to consider and decide cases raising the claim that the hosting of public conversations in social media by government entities creates a designated public forum subject to the strictures of the First Amendment. Lower court cases considering the issue have held that a designated public forum is created when social media is opened for public comment.
by a governmental entity. Those cases, however, are still winding their way through the court appeals process and currently there is no definitive ruling from the United States Supreme Court. Nonetheless, there is a strong argument that opening social media for public comment creates a designated public forum as it does in the analogous situation where a governmental entity opens a meeting room or exhibit space for public use.

The Supreme Court of the United States has defined a “designated public forum” as a forum set aside by government for expressive activities. As with a traditional public forum, designated public forums are subject to “strict scrutiny,” meaning that First Amendment principles apply. While libraries may impose time, place, or manner regulations (which do not readily apply to the online environment), the courts closely examine any content-based speech restrictions to determine whether they violate the rights of the speaker. Viewpoint discrimination is prohibited in any forum.

To avoid having a library’s platform hijacked by content unrelated to the library mission (including commercial or simply irrelevant speech), libraries should carefully and narrowly craft their public declarations of purpose and acceptable behavior as tied to the mission of the library. Narrow declarations of purpose can be broadened if necessary, but restricting the scope of broader declarations may create challenges.

Guidelines

Following best practices, a library’s social media policy should consider the following issues. Not all issues below apply to every library, and omissions and additions can be made based on the library’s individual needs.

Purpose and scope

The library should make its social media policy publicly available on its website and link to the policy from social media platforms whenever possible.

There is a range of possible community engagement levels available to libraries; some examples are listed below:

1. The library posts information related to its services and operations for its constituents and does not seek out or respond to comments.
2. The library posts information and will conduct occasional calls for survey responses or comments. The library reserves the right to close comments at a predetermined time and not in response to the commentary received.
3. The library invites people to post or comment occasionally on various issues.
4. The library engages with its community regarding matters related to library resources and services.
5. The library serves as a forum for the discussion of many issues related to its collections, programs, and spaces.
Statements may also address the larger purpose of the library and its governing body, such as “Our library’s mission is to promote the value and importance of library services, programs, spaces, and collections, and of libraries in general.”

Audience

As a best practice, the library should identify its intended audience. An academic library may limit its intended audience to university faculty, students, staff, administrators, and alumni. It can be expanded further to include specialized communities outside of the university, such as scholars within a particular discipline, or even the general public. Public libraries may identify their audience as those people residing within their official service area.

Staff responsibilities

All library staff responsible for contributions to library social media platforms should be thoroughly trained, not only in best practices for individual social media platforms, but in the mission, values, and positions of the library and its governing body or parent institution. A social media account serves as the digital face of the library and should maintain the same level of customer service provided in the physical library. In order to provide a guide for staff and protect the library when interacting with users online, the library should outline appropriate staff behavior and responsibilities in its social media policy. All staff should apply these guidelines in a consistent manner.

Staff contributors should use a tone consistent with their organization’s communication and marketing strategy, whether posting original content or communicating directly with a user. Be friendly, sincere, and energetic. Social media content should be written from the point of view of the “We,” which represents the library as a whole and not as an individual staff member. As the online face of the library, staff members should remain professional at all times and should refrain from expressing their personal views when posting on the library’s behalf.

Library staff should protect patron privacy and confidentiality whenever possible. Social media platforms should not be used to collect information about the library’s users. Information shared by patrons on the library’s social media should not be kept by the library or used for other purposes. Library social media policies should also refer users to the privacy policies of the host social media platform and clearly inform users when posts will be publicly available. Staff should be trained and aware of basic cybersecurity practices. Librarians and library staff should refer to the Committee on Professional Ethics’ “Questions and Answers on Ethics and Social Media” for additional information.

Reconsideration

Social media policies should provide recourse for individuals to express complaints or concerns about content posted on the library’s social media. This establishes an objective and uniform framework for all involved while protecting the creative freedom and skills needed to engage library communities. The procedure for handling complaints and for reconsidering social media
content should be clearly enunciated in the policy statement and applicable to everyone. The policy should stress that no posts will be removed without following the approved procedure and no content should be removed upon the authority of a single staff member or administrator.

Acceptable behavior

Libraries should clearly state their social media behavior policy on all of their social media platforms and prominently display that policy on their websites. Much like the code of conduct/usage that patrons must abide by when visiting the library, a social media policy clearly defines acceptable and unacceptable behavior, as well as what steps will be taken by library staff should the patron not adhere to policy guidelines.

Unacceptable behavior that may result in the removal of a post or the temporary blocking of a user could include speech that is not protected by the First Amendment, such as copyright violations, obscenity, child pornography, defamatory or libelous comments, or imminent or true threats against the library, library staff or other users. As a best practice, policies should state that unprotected speech of this type is not permissible to insulate the library from any potential liability as a facilitator of the public discussion. However, libraries should be aware that enforcement of such policies to ban unprotected speech could prove difficult as library staff would be put in the position of determining whether particular speech fits within the legal definition of the unprotected speech category, a determination generally relegated to the legal court system.

In crafting their social media policies, libraries should be further aware that removing posts that do not fit within the definition of unprotected speech, for example, on the basis that they are controversial, constitute profanity or may be offensive to other users could expose the library to litigation as the courts have found those categories of speech to be protected by the First Amendment and terms such as “controversial” and “offensive” to be subjective.

A library can urge its users to adhere to the established acceptable use policies of the host platform and to engage in civil discourse, but as a governmental entity subject to the strictures of the First Amendment (unlike the private entity that may be the host platform), the library will have an obligation to regulate its social media pursuant to First Amendment law and cannot restrict speech on the basis that the private entity might do so. Courts likely would find that the library or other governmental entity could not avoid its obligations under the First Amendment by using a private platform.

Consequences

Libraries should clearly state the consequences for posts that do not meet the library's social media policy, which should be drafted in consultation with legal counsel. Best practices include developing a procedure through which libraries notify patrons of why they are being blocked, provide an appellate process within the library for the patron to challenge the removal, and determine an acceptable time period for the patron to proceed through a reinstatement procedure.
Permanently blocking a patron from the social media site based on prior comments could be considered a prior restraint in violation of the First Amendment.

The social media content of a public library or publicly funded academic library can be subject to an open records, or Freedom of Information Act, request. All user’s posts that are removed for any reason whatsoever should be securely retained in accordance with your organization's retention schedule. The policy for how long a library retains these social media posts should be clearly stated in its social media policy and reviewed by legal counsel.

Library administrators should clearly communicate their social media policies and legal obligations to their vendors.

Disclaimer

Libraries should state that comments expressed on any social media platform do not reflect the views or positions of the library, its officers, or its employees. Social media users should exercise their own judgment about the quality and accuracy of any information presented through social media.

Privacy

Library staff should make a good-faith effort to understand the privacy practices of the social media platforms which they use and the implications for patron privacy. If the library cannot guarantee privacy, it should explicitly say so in its policy, for example: “The library may occasionally refer to public comments made on social media. However, it will not collect, sell or knowingly transfer to any third party any personally identifiable information related to social media engagement with the library. Please be advised that [platform] has its own privacy policies, which can be found here [link] and should be carefully reviewed.” Libraries can take advantage of the tools offered by social media applications to manage outdated content or posts that do not comply with the library’s social media policy.

Some states or institutions may have record-retention policies that require the protection and maintenance of some data. These should be reviewed with legal counsel.

Additional information

The staff of the Office for Intellectual Freedom is available to answer questions or provide information to librarians, trustees, educators, and the public about social media policy and practice. Areas of assistance include policy development, First Amendment issues, professional ethics, and privacy. Inquiries can be directed via email to oif@ala.org or via phone at (312) 280-4226.
Conclusion

The Intellectual Freedom Committee recommends that libraries participate in social media after thoughtfully reviewing the guidelines presented here, and adopt a social media policy in consultation with legal counsel that reflects their institution’s intent and capacity. Social media presents an opportunity for libraries to engage with users and to make significant contributions to shared knowledge. This robust civic engagement leads to an informed citizenry and a healthy society, while also demonstrating the great value of our institutions.
Responding to and Preparing for Controversial Programs
and Speakers Q&A

This Q&A offers strategies and resources for preparing your library to approach community
concerns as well as reaction to potentially controversial programs, events, and speakers.
Libraries are encouraged to look to their own institution’s policies regarding behavior,
programming, and collection development, and to consult with legal counsel in the context of
these issues. For additional information, contact the Office for Intellectual Freedom at
oif@ala.org.

Representation of all views at library programs

Why do libraries offer programs, events, and speakers?

According to “Library-Initiated Programs as a Resource: An Interpretation of the Library Bill of
Rights,” “Library-initiated programs support the mission of the library by providing users with
additional opportunities for information, education, and recreation. Article I of the Library Bill of
Rights states: ‘Books and other library resources should be provided for the interest, information,
and enlightenment of all people of the community the library serves.’”

How do libraries plan programs, events, and speakers?

Libraries should have written guidelines or policies, similar to a collection development policy,
that have been drafted in consultation with legal counsel and approved by the governing body.
Policies should outline the mission of the library, how speakers are chosen, the scope of the
programs offered, how facilities are used, how programs will be advertised and by whom, and
potential security needs. The policies should also refer to the library’s code of conduct and
expectations for customer behaviors during library-initiated and -hosted events. Libraries should
be receptive to community suggestions for programs, events, and speakers.

Do we need a broad representation of views in library-initiated programs?

As stated in “Equity, Diversity, Inclusion: An Interpretation of the Library Bill of Rights,”
libraries should strive to provide a full range of viewpoints in their programming and
experiences, serving the needs of all members of the community. As with collection
development, programs in libraries enhance the collection, support the institution's mission, and provide the community with access to diverse ideas and information.

How do libraries balance the representation of views in their choice of programs, events, and speakers?

Libraries may use a variety of criteria to select speakers. Common criteria may include current topics and interests, and information needs of the community. The availability of resources to present programs and speakers is also a factor. Libraries have a responsibility to represent diverse views and avoid bias. Libraries should be proactive and present programs that provide multiple viewpoints. Library-sponsored speakers should have some expertise, credentials, or credibility on the topic they are discussing.

What if an outside group wants to use a library meeting room to host an event, speaker, or program?

Article VI of the Library Bill of Rights states, "Libraries which 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." Libraries may not exclude groups from using meeting rooms based on the viewpoint of the speakers or the content and subject matter that will be discussed.

Libraries with meeting rooms should develop policies that clearly outline expectations and guidelines for use. See "Meeting Rooms: An Interpretation of the Library Bill of Rights" for further guidance.

An outside group has reserved a library meeting room to hold an event that supports a specific point of view. Does the library have to plan a library-initiated program to educate the public on the alternative perspective?

The library is under no obligation to create programming balancing an outside group’s use of the space, nor is it prohibited from doing so, depending on community interest or relevance.

What if a library-initiated program causes controversy?

Libraries should not shy away from controversy. Staff should be aware of applicable library policies and the criteria for selecting programs and community use of library spaces. They should be prepared to explain the policy, as well as the bedrock principles of intellectual freedom.

How do we respond to community complaints about an upcoming library-initiated program, event, or speaker?

Complaints should be received respectfully. Many complaints can be resolved with a respectful conversation.
Every library should have a request for reconsideration policy and follow it. The principles of these policies also apply to programs, events, and speakers. Libraries can modify reconsideration policies to be applicable to programming. Information on reconsideration policies can be found in “Selection and Reconsideration Policy Toolkit for Public, School, and Academic Libraries” and the Intellectual Freedom Manual.

A library-initiated event may cause controversy, and staff want to make sure we create a civil environment that fosters respectful discussion. How can this be accomplished?

Generally speaking, user behavior policies apply to all library-initiated programs regardless of venue and should be provided to attendees ahead of time. As with any event held at the library, library staff should welcome all. Library staff should be courteous. Policies and procedures should be transparent, available to all, and equitably enforced. For library-initiated events, a library representative should set the tone at the start of the event to reflect shared values and community spirit, and outline clear expectations for frank but respectful dialogue.

What do we do if someone causes a disruption at an event in the library?

Expectations of behavior should be made clear before the event. If people violate acceptable behavior guidelines, they should be asked to cease that behavior or leave the library. If people fail to comply, the library should follow its appropriate behavior policy.

What if an audience member at a library-initiated event poses challenging or provocative questions?

Provocative and challenging questions are part of civil discourse and free speech. Libraries may establish time, place, and manner restrictions to limit the amount of time a questioner may speak. However, libraries support the right of individuals to ask uncomfortable questions. If there is concern the questions may detract from the program, alternative Q&A formats may be considered. Some libraries have found success in having audience members submit written questions to be read by a moderator. Libraries should not use this as a method to censor relevant questions.

Disinvited speakers and authors

When is it appropriate for a library to disinvite a speaker or cancel a program or event?

It may be appropriate to disinvite a speaker or cancel a program or event when there is a facility issue or inclement weather. It is not appropriate when the topic is controversial or if there have been complaints about the speaker, program, or event. If there is a credible public safety threat, library workers should consult with legal counsel and local law enforcement.

What if the speaker for a library-initiated event has controversial views on a topic or has been accused of something inappropriate but unrelated to their speaking engagement?
Article I of the *Library Bill of Rights* states, "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." “Materials” may include programs, resources, and speakers. “Background” may include alleged behavior, past publications, or expression of controversial views.

**What are the ramifications of canceling a library-initiated speaker, program, or event due to controversy?**

Canceling a speaker, program, or event because of real or anticipated controversy could negatively impact the reputation of the library and its ability to serve the community as a forum for the exchange of ideas. There could also be public relations, legal, financial, or other contractual implications.

**Dealing with protests and speakers**

**People are upset about a program and want to organize a protest. What should I do?**

Begin by recognizing the concerns the person has with the program, and take steps to address them with respectful and civil conversation. Staff should follow their reconsideration policy for programs, events, and speakers. Staff should also carefully review any publicity to ensure it describes the event accurately. A model response from the Darby (Mont.) Community Public Library is published in *American Libraries Magazine*.

**We had the conversation, and they are still planning a protest. How do we prepare?**

- Library administrators should determine the maximum occupancy of the building and address any other building-safety issues (for example, clearing hallways and ensuring access to emergency exits).

- Library administrators should ensure that the library has written policies that address disruptive behavior, including any protest inside the library that interferes with patrons’ quiet use and enjoyment of the library. Public libraries are not public squares and may restrict disruptive behaviors. Similarly, publicly funded school and academic libraries that open their facilities for use by the public should have written policies that address disruptive behavior, including any protest inside the library that interferes with patrons’ quiet use and enjoyment of the library. Publicly funded school and academic libraries that open their facilities for use by the public are considered to be a designated public forum. Strict scrutiny will apply to any restrictions placed on access.

- Library administrators should communicate with leaders of the protest groups, and maintain an open line of communication with them. Ask the group leader to establish a tone of respect and civil discourse during the program. Inform them that libraries are not required to allow protests inside the library. People have a constitutional right to protest.
on the public sidewalk and other public spaces not controlled by the library. Remind group leaders to consult with local government regarding the permitting process for any organized protest/demonstration.

- When there is an early indication of multiple protest groups attending, local law enforcement should be consulted about proper procedure. If there is any question of safety or sign that groups will clash, library administrators should request local law enforcement support. It is not the library’s responsibility to supervise or control the behavior of protesters on spaces that are considered traditional public forums. If protesters impede access to the library, local law enforcement should be notified.

**The protesters are my friends and neighbors. How should I react to them?**

Safety is paramount. Library management should consider in advance what level of interaction they are comfortable with, if any. There is no legal requirement to interact with protestors. Everyone should be treated with dignity and respect.

**What if community members express concern about the protesters? Is there anything the library can do?**

So long as the protesters are engaged in peaceful protest on a public sidewalk and not impeding access to the library, they are entitled to exercise their First Amendment right to free speech.

**What if protesters interfere with library users entering the library?**

Libraries should notify local law enforcement if protesters are interfering with users entering the library.

**What if someone has threatened violence?**

Libraries should consult with relevant law enforcement or security officials to ascertain the credibility of the threat. Administrators should respond as circumstances require and plan for a range of responses for likely outcomes.

**We are concerned that someone will bring a Nazi flag or banner with racial slurs to a protest event outside the library, which could lead to violence. Can we tell them they cannot display Nazi flags or banners because it may pose a public safety issue?**

The First Amendment protects the right of individuals and groups to engage in peaceful protest, even if the protest includes expressive activities that are viewed as outrageous or offensive. If the library fears that the protest may become violent, they should notify local law enforcement.

**Are there local, state, and federal laws to consider regarding protesters’ rights and responsibilities and protest procedures for the library?**
Libraries are not required to allow protests inside the library. Public libraries, and publicly funded school and academic libraries that open their facilities to the public, should have written policies that address disruptive behavior, including any protest inside the library that interferes with patrons’ quiet use and enjoyment of the library. Publicly funded school and academic libraries that open their facilities for use by the public are considered to be a designated public forum. Strict scrutiny will apply to any restrictions placed on access. Libraries should contact their local government agencies or legal counsel if they have further questions about specific local requirements.

Security for programs and events

We’ve decided to hire security for an event. Who is responsible for paying the cost?

If an outside group is renting or using space for an event, the library could require them to pay the cost of security. This requirement should be spelled out in the approved usage of space policy. These policies should be reviewed by the library’s legal counsel to ensure they meet legal requirements. If it is a library-initiated program, the library would bear the cost.

How many security personnel should there be?

Libraries should consult with a security firm or local law enforcement for guidance.

How do we convey security expectations and library policies to hired security (and who is responsible for communicating them)?

Whether the event is being held at the library or another venue offsite, library administrators should communicate with security staff and any co-sponsoring organizations. There should also be a written agreement. If the venue is not library property, library administrators should convey to security personnel information about the library code of conduct, how it applies to the event, and who is responsible for enforcing it. If the facility where the event is being held has a code of conduct or security requirements that vary from the library’s, how these requirements are addressed should be mutually agreed upon prior to the event.

How can libraries protect the public and author/speaker without paid security personnel?

Libraries can help protect the public and the speaker by increasing staff coverage to assist attendees. Best practice should be to have a senior staff member at potentially controversial events. Library administrators should determine the maximum occupancy of the building and address any other building safety issues (for example, clearing hallways and ensuring access to emergency exits). A tone of respect and decorum at the meeting or event should be established at the start. It can be helpful to have a verbal and/or written plan for a discussion segment following the presentation. For example, a library director or other carefully chosen moderator may pose all discussion questions to the speaker with questions submitted in writing. Library administrators may notify law enforcement about the event and request police presence if such security measures are merited.
We decided not to hire security, but what do we do if something happens during the event?

Library staff have at least three options. First, they may notify law enforcement ahead of time, and request a visible presence. Second, staff might ask that officers be aware that they might get a call in the event of a problem. Third, whether or not law enforcement has been notified ahead of time, staff should always reach out to them if the health and safety of the public or staff are in danger.
Meeting Rooms: An Interpretation of the Library Bill of Rights

Many libraries provide meeting rooms and other spaces designated for use by the public for meetings and other events as a service to their communities. Article VI of the Library Bill of Rights states, “Libraries which 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.” Libraries do not advocate or endorse the viewpoints of meetings or meeting room users, just as they do not endorse the viewpoints of works in their collections. This interpretation provides general guidelines regarding meeting rooms and other spaces and does not constitute legal advice.

Libraries offering meeting rooms and spaces should develop and publish policies governing use after consultation with legal counsel. These policies can properly define time, place, or manner of use; such restrictions should not pertain to the content of a meeting or to the beliefs or affiliations of the sponsors. Policies should be made available in all of the commonly used languages within the community served.

Public libraries are bound by the First Amendment and the associated law governing access to a designated public forum. A publicly funded library is not obligated to provide meeting room space to the public, but if it chooses to do so, it cannot discriminate or deny access based upon the viewpoint of speakers or the content of their speech. This encompasses religious, political, and hate speech.¹ If a library allows charities, non-profits, and sports organizations to discuss their activities in library meeting rooms, then the library cannot exclude religious, social, civic, partisan political, or hate groups from discussing their activities in the same facilities. Allowing religious groups to use the library’s meeting rooms and spaces does not constitute a breach of the First Amendment’s Establishment Clause.²

Libraries should post a permanent notice, in the languages commonly used in the community, near the meeting rooms and spaces stating that the library does not advocate or endorse the viewpoints expressed in meetings or by meeting room users.

Libraries should write policies in inclusive rather than exclusive terms. For example, a policy that the library’s facilities are open “to organizations engaged in educational, cultural, intellectual, or charitable activities” is an inclusive statement of the limited uses of the facilities. This defined limitation would permit most groups to use the facilities because they engage in intellectual activities, but would exclude most commercial sales in the facilities.

Written policies may also include limitations on frequency of use and require adherence to the library’s behavior policy.³ The policy should also state whether meetings held in library spaces must be open to the public or if the library allows private social events such as birthday celebrations, anniversaries, wedding receptions, showers, or parties. Libraries may choose to
offer space for public or private events unless restricted by state or local laws. The same standards and policies should apply to all uses.

If meeting rooms and spaces are open to the public, libraries should include a section in their policy that addresses fees. Charging fees does not change the status of meeting rooms and spaces as designated public forums. Library governing bodies which decide whether to charge fees for use of library spaces should consider local and state laws, the ALA’s *Code of Ethics*, and the *Library Bill of Rights*. Charging fees for the use of library meeting rooms or facilities may abridge or deny access for some community members.

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.” This applies with equal force to the library’s meeting rooms and spaces designated for public use as it does to the library’s collections and services.


Adopted July 2, 1991, by the ALA Council. The interpretation revision was endorsed by COPE and endorsed in principle by ASCLA and IFRT.

See Also

- “Hate Speech and Hate Crime,” ALA Office for Intellectual Freedom, December 2017.
Library-Initiated Programs as a Resource: An Interpretation of the

*Library Bill of Rights*

Library-initiated programs support the mission of the library by providing users with additional opportunities for accessing information, education, and recreation. Article I of the *Library Bill of Rights* states, “Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves.”

Library-initiated programs utilize library staff expertise about community interests, collections, services, and facilities to provide access to information and information resources. Library-initiated programs introduce users and potential users to library resources and the library’s role as a facilitator of information access. The library may participate in cooperative or joint programs with other agencies, organizations, institutions, or individuals to facilitate information access in the community the library serves.

Library-initiated programs include, but are not limited to, lectures, community forums, performing and visual arts, participatory workshops, technology programming, creative learning programming, wellness programs, story times, continuing education, fairs and conventions, book clubs, discussion groups, demonstrations, displays, and presentations for social, cultural, educational, or entertainment purposes. Library-initiated programs may take place on-site at the library, offsite in other locations, or online and may be delivered by library staff, library volunteers, or library partners.

Libraries should not discriminate against individuals with disabilities and shall ensure they have equal access to library resources. Library-initiated programs should comply with all applicable laws, including the standards and requirements of ADA and state or local disability accessibility guidelines. If a program is held in a location not controlled by the library, the library should ensure that the space is accessible to all library users. If users overflow designated event areas during library events, libraries should protect accessible public spaces (i.e., ramps, pathways, and emergency exit routes) to ensure access and safety for everyone. Reasonable accommodations should also be made to have interpretation or real-time captioning for the deaf or hard-of-hearing at library-initiated programs when needed or requested by library users.

As stated in “Equity, Diversity, Inclusion: An Interpretation of the *Library Bill of Rights,*” “Socially excluded, marginalized and underrepresented people, not just the mainstream majority, should be able to see themselves reflected in the resources and programs that libraries offer.” Libraries should actively seek to include a variety of programming options representing diversity of genres, formats, ideas, and expressions with a multitude of viewpoints and cultural perspectives that reflect the diversity in our communities. Library-initiated programs that cross language and cultural barriers introduce underserved populations to the library’s resources and provide access to information. Libraries serving multilingual or multicultural communities
should make efforts to accommodate the information needs of those who speak and read languages other than English.

Libraries should have a policy guiding the development and implementation of programs, similar to material selection and building use policies, which has been approved by their policy-making body after consultation with legal counsel. These guidelines should set forth the library’s commitment to free and open access to information and ideas for all users. Article II of the Library Bill of Rights states, “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” Likewise, programs should not be canceled because of the ideas or topics of the program or the views expressed by the participants or speakers.4 Library sponsorship of a program does not constitute an endorsement of the program content or the views expressed by the participants or speakers, any more than the purchase of material for the library collection constitutes an endorsement of the material content or its creator’s views. Libraries should vigorously defend the First Amendment right of speakers and participants to express themselves. Concerns, questions, or complaints about library-initiated programs are handled according to the same written policy and procedures that govern reconsiderations of other library resources.

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” encompasses all the resources the library offers, including the right to attend library-initiated programs. Libraries create programs for an intended age group or audience based on educational suitability and audience interest; however, restrictions on participation based solely on the gender, chronological age or educational level of users violates this right and should be enforced only when it would adversely impact the safety of the participants. Parents and guardians may restrict their own children’s access to library programs, but no person or organization can interfere in others’ access and participation.

Libraries should not deny access to library-initiated programs if patrons owe the library for overdue fines or other fees, nor should program attendees be required to share their personal information in order to attend a library program. Any collection of program participants’ personal information should be on an opt-in basis only. If libraries charge program participants for supplies used, they should make every effort to reduce economic barriers to participation.

2. “Services to Persons with Disabilities: An Interpretation of the Library Bill of Rights,” adopted January 28, 2009, by the ALA Council

Adopted January 27, 1982, by the ALA Council; amended June 26, 1990; July 12, 2000. The interpretation revision was endorsed by COPE and endorsed in principle by ASCLA and IFRT.
Services to People with Disabilities: An Interpretation of the Library Bill of Rights

The American Library Association recognizes that people with disabilities are a large and vibrant part of society. Libraries should be fully inclusive of all members of their community and strive to break down barriers to access. The library can play a transformational role in helping facilitate more complete participation in society by providing fully accessible resources and services.

The Americans with Disabilities Act (ADA) defines a person with a disability as “a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment.” As such, there is no all-encompassing list of disabilities. The category of a “person with a disability” includes a broad range of individuals with a diversity of abilities, identities, and appearances. This intersectional group shares a common experience of discrimination and encountering barriers to access.

Library staff should never presuppose a person’s limits based on disability. Libraries are committed to providing equal access to collections, services, and facilities for all library users. When this is not possible, reasonable accommodations and timely remediation should be employed to provide an equivalent experience to people with disabilities. Libraries should comply with all applicable laws, including the standards and requirements of ADA and state or local disability accessibility guidelines. Libraries should consult legal counsel to determine their responsibilities under law. The Library Bill of Rights articles are explicated below to focus on services to people with disabilities.

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.

Libraries should contain a diverse collection that highlights the perspectives of marginalized groups, including people with disabilities. Historically, these groups have not been treated equitably and it is the responsibility of the library to act in a legal, ethical, and inclusive manner to meet the information needs of all patrons.

In addition to including diverse perspectives in the library collection, the collection itself should be accessible to all users. All library resources, including its website and online resources, should be available in formats accessible to people of all ages and abilities.

Library administrators should educate themselves about technical and legal standards for digital accessibility, and manage staffing and resources to provide equal access. Library administrators should support librarians and technical staff to meet these standards through a combination of
professional development, planning for time needed to develop accessible library websites and other content, and outsourcing as needed.

Library administrators should also ensure that their institutions work closely with vendors to address accessibility concerns and that vendors provide reasonable timelines to remediate accessibility problems before the library agrees to license, subscribe to, or purchase a digital resource or product.

Access to materials should not be restricted by any presuppositions about information needs, interests, or capacity for understanding. Library staff should actively research and integrate existing and emerging accessible technologies and provide services to assist patrons when conflicts exist. The availability of these technologies and services should be marketed and available to all patrons. When libraries present information in formats that are accessible to all users, and do not limit access to physical facilities or virtual library structures, they eliminate barriers to information.

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.

Within their fiscal and physical limits, libraries should seek to add diverse voices on all topics to the collection, including the words and depictions of people with disabilities. People with disabilities are to be reflected in the collection not as a single group but as an intersectional part of the community, across age, race, gender, class, and orientation. In order to be inclusive, libraries must provide accurate, up-to-date, and representative materials in their collections to meet the information needs of their users. The collection should also preserve historic materials that reflect an accurate depiction of the progress toward inclusion and equality that has occurred within American society.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

Too often, acts of censorship silence the voices of those already marginalized. Libraries provide opportunities for all people to be heard, including those with perspectives that are voiced less often or less loudly. Library staff should not allow their personal and professional biases to dictate or inform services or resources. As stated in “Equity, Diversity, Inclusion: An Interpretation of the Library Bill of Rights,” “Libraries should counter censorship with inclusion.”

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
As part of a commitment to free access, library staff should proactively reach out to individuals with disabilities, as well as advocacy and support organizations, to create formal or informal partnerships with them. This same model of partnership and communication should be used when planning programming, adding to the collection, and making physical modifications to library spaces. Library staff should include as many diverse segments of the community it serves as possible in every step of planning and implementation processes.

V. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.

A person’s right to use a library should not be denied or abridged because of a disability, whether actual or perceived. Library staff should consider whether policies and procedures are inclusive of people of all abilities.

Physical access to the library should also not be a barrier to library use. Buildings should be accessible and when this is not possible, reasonable accommodations should be offered.

Libraries should provide training opportunities for all staff and volunteers. Training should include effective techniques for providing services for users with disabilities, as well for working with colleagues with disabilities. Libraries should adopt policies to ensure that people with disabilities have an opportunity to serve as members of the library staff, administrative units, and governing boards.

To be truly accessible to all, libraries should provide reasonable accommodations such as sign language interpreters, open captions during presentations, and visual description during programming when requested by users or attendees.

VI. Libraries which 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.

If a library provides exhibit spaces and meeting rooms to its patrons, those spaces should be as physically accessible as all public areas are required to be. Examples of reasonable structural modifications include automatic doors, handrails, elevators, ramps, and clear travel paths. The library should also provide accessible tables, desks, restrooms, and parking. Information on the physical facility must be included on the library’s website in an accessible format.

The Library Bill of Rights states, “All libraries are forums for information and ideas.” By working to remove barriers to access, libraries promote the full inclusion of people with disabilities into society.


Adopted January 28, 2009, by the ALA Council with the title “Services to Persons with Disabilities.” Revisions proposed in June 2018. The interpretation revision was endorsed by COPE and endorsed in principle by ASCLA and IFRT.