

# Argyle Free Library: Reconsideration of Materials Policy

## **POLICY STATEMENT**

The purpose of the Reconsideration of Library Materials is to ensure that any community concerns about any library materials are evaluated fairly and in accordance with AFL's published policies.

### **Regulations (see also Collection Policy)**

The Argyle Free Library is dedicated to serving the information needs of everyone, as stated in our Collection Policy. As such, we collect and make available a wide variety of information resources representing the range of human thought and experience. With such a broad spectrum of ideas and information available, it is inevitable that people will occasionally encounter resources they believe to be inappropriate or offensive. They may complain and request that such resources be removed.

The library will re-evaluate the selection or placement of a specific item in its collection upon submission of a properly completed Request for Reconsideration of Library Materials form by an Argyle Free Library card holder. These forms are available by request from the director or may be sent by mail. Forms will be accepted from adult cardholders who are residents of the library's legal service area and who have read, viewed, or listened to the material in its entirety. Duplicate forms by multiple members of a single organization will be considered a single challenge.

Forms must be completed in their entirety, including the date, the cardholder's name, address, phone number, library card number, signature, and rationale for reconsideration and requested action.

The Director will make a decision regarding the item's disposition. The director will inform the cardholder and the Board of Trustees of their decision.

In the event that the person or group registering the objection is not satisfied, a further review of the materials will be conducted by the Library Director and a designated member of the Board of Trustees. The director's decision after this secondary consideration is final and binding.

The director will inform the cardholder and the Board of Trustees of this final determination. Material will remain in circulation during the reconsideration process.

Future requests for reevaluating the same item will be addressed only if the grounds for reconsideration are substantially different from previous requests.

In keeping with their stated resolution against book banning (Appendix A) the board will not consider removal of individual items from the collection but will determine that the library's published policies and procedures are being followed. If a complainant feels that the library's published policies have not been followed, an appeal to the Board of Trustees can be made at a scheduled board meeting and the board will conduct an investigation.

The procedure for reconsideration of library materials is as follows.

1. When materials are challenged, library staff will:
  - a) Treat complaints with dignity and courtesy.
  - b) Provide a copy of the Request for Reconsideration of Library Materials policy to the complainant.
  - c) Inform the library director of the challenge.

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2. The Library Director will then confirm that the complainant received the Request for Reconsideration of Library Materials policy and if requested will provide the complainant with a copy of the Request for Reconsideration of Library Materials form.
3. If a Request for Reconsideration of Library Materials form is submitted to the Library, the Director will:
  - a. Consider complaints and/or objections to library materials in terms of the library's and SALON's materials selection policy, the principles of the Library Bill of Rights, the Freedom to Read Statement, the Freedom to View Statement, and the library's resolution against book banning.
  - b. Defend the principles of freedom to read and the professional responsibility of the library rather than the book.
  - c. Inform the Board of Trustees of the complaint and the Library Director's assessment.
4. Within two weeks, the Library Director will make an initial assessment of the request and contact the cardholder in writing. The receipt of multiple challenges may delay responses.
5. If the cardholder is not satisfied with the Library Director's assessment, he or she may appeal in writing to the Director within two weeks. In such cases, the Director and a designated trustee will work together to assess the request.
6. The Director and the designated trustee will consider the item's critical reception, demand by the public, and judge the overall merit of the item based on its entirety rather than individual parts, passages, or excerpts.
7. Informed by the board members' recommendation, the Director will make a decision on the disposition of the item in question and will inform the cardholder in writing within thirty days. The receipt of multiple challenges may delay responses.
8. If the cardholder is not satisfied that the library's published policies and procedures have been followed, he or she may appeal in writing to the Library Board of Trustees within two weeks or in person at a scheduled board meeting. The board will then open an investigation into whether library policy was followed but will not investigate the merits of the materials or consider removal of the materials.

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## Appendix 1: Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. 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.
2. 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.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. 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.
7. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA (American Library Association) Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

## Appendix 2: Freedom to Read

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

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The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*
2. Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.
3. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*
4. Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.
5. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*
6. No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.
7. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*
8. To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters' values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

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9. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*
10. The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.
11. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*
12. It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society, individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.
13. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*
14. The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

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Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

American Library Association  
Association of American Publishers

*Subsequently endorsed by:*

American Booksellers for Free Expression  
The Association of American University Presses  
The Children's Book Council  
Freedom to Read Foundation  
National Association of College Stores  
National Coalition Against Censorship  
National Council of Teachers of English  
The Thomas Jefferson Center for the Protection of Free Expression

### Appendix 3: Freedom to View

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore, these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expressions. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.
6. This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council



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### Appendix 4: Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's *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, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This includes minors who do not have a parent or guardian available to sign a library card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs 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 providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials 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, sound, images, data, social media, online applications, games, technologies, programming, and other formats. 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. Libraries and their 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 content is constitutionally protected.

Article VII of the *Library Bill of Rights* states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.

The mission, goals, and objectives of libraries cannot authorize libraries and their 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."<sup>4</sup> Libraries and their governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only

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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 advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

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## **Appendix 5: SALON Collection Development Policy**

### **Policy Statement:**

The Southern Adirondack Libraries ON demand (SALON) facilitates the interest, information, and enlightenment of all the people residing in Hamilton, Saratoga, Warren and Washington counties by providing an online collection of electronic content.

### **Regulations:**

Selection of materials is the responsibility of the Director's Council, and, under their direction, qualified members of the professional staff who are appointed to a Selection Committee.

Selection of electronic content is based on interest, entertainment, and informational needs of all library card holders in the service area.

SALON endorses and adheres to the "[Freedom to Read](#)" statement, the "[Freedom to View](#)" statement, and the "[Library Bill of Rights](#)", all of which were adopted by the American Library Association.

SALON endorses the [Readers' First](#) principles.

All or some of the following criteria may be considered when adding new items to the collection:

- Accuracy, timeliness, format compatible with all readers and players
- Price and availability
- Public appeal or local interest
- Relevance to the present and potential needs to the community

Suggestions are welcome and the Selection Committee will consider all requests using the same selection criteria that are used for the collection. Please [email us](#) with your suggestions.

No individual may censor or restrict the freedom of others to read or listen to the collection.

Titles are withdrawn from the collection in order to maintain its usefulness, currency, and relevance.

Responsibility for monitoring a child's access to resources rests with the parent or legal guardian.

No title shall be removed from the SALON collection except if the company, Overdrive, removes the title due to licensing agreements and/or technological reasons based on SALON's current contract, or if an appeal to the Southern Adirondack Board of Trustees is found to be in the complainant's favor.

If a patron expresses concern about the suitability or classification of a particular title, they should be directed to fill out the Reconsideration of Materials online form and submit to the Selection Committee. The selection committee will review the request and respond within 30 days.

The request will be considered in light of SALON's eContent selection policy, the principles of the ALA Library Bill of Rights, the opinions of the various reviewing sources, and any other appropriate source. The System director will notify the patron of the results of the reconsideration.

The Selection Committee's decision may be appealed to the Director's Council. The Director's Council will review the appeal at their next scheduled meeting and will present their decision to the Southern Adirondack Library System's Board of Trustees.

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### [SALON Reconsideration of eContent:](#)

The Southern Adirondack Libraries ON demand (SALON) facilitates the interest, information, and enlightenment of all the people residing in Hamilton, Saratoga, Warren and Washington counties by providing an online collection of electronic content. Selection of electronic content is based on interest, entertainment, and informational needs of all library card holders in the service area.

### **Regulations:**

The SALON eContent collection is curated and guided by the eContent Selection Policy.

SALON endorses and adheres to the “[Freedom to Read](#)” statement, the “[Freedom to View](#)” statement, and the [Library Bill of Rights](#), all of which were adopted by the American Library Association.

If a patron expresses concern about the suitability or classification of a particular title, while they are in the library, they should be directed to fill out the online SALON Reconsideration of eContent form, which will be submitted to the Selection Committee.

If a patron contacts the library to express concern about the suitability or classification of a particular title, they should be mailed (email or snail) a link to the [online Reconsideration of Materials form](#), which will be submitted to the Selection Committee.

SALON Reconsideration of eContent forms will be kept on file for one year after a final decision has been made.

The request will be considered in light of SALON’s eContent selection policy, the principles of the ALA Library Bill of Rights, the opinions of the various reviewing sources, and any other appropriate source. The System director will notify the patron of the results of the reconsideration.

The Selection Committee’s decision may be appealed to the Director’s Council which present their decision to the Southern Adirondack Library System’s Board of Trustees.