**Introduction to Intellectual Freedom - PART ONE (15 minutes)**

**\*Bolded Heading correspond with presentation slides\***

**Introduction**

* Welcome to Introduction to Intellectual Freedom. We are here to talk about intellectual freedom, privacy, and access to information and how those concepts apply to your role at the library.
* IF trainers introduce themselves.

**What is Intellectual Freedom?**

* It’s really pretty simple: Intellectual Freedom is the unrestricted access to information and ideas, and the freedom to decide what to read, what to learn and how to learn it. Intellectual Freedom also extends to the freedom to use the internet with a reasonable expectation of privacy and without judgment of content.
* These standards shape library services and are as basic to us as health information privacy is to health care professionals.

**The American Library Association, the guiding body for our industry, was founded in 1876 at the Centennial Exposition in Philadelphia**

* At the time 103 Librarians in attendance – 90 men and only 13 women
* The main goal of the organization at the time was simply "to enable librarians to do their present work more easily and at less expense."
* Since then ALA has worked to define the profession and carefully outline policies that protect users’ rights to intellectual freedom, privacy and access to services both existing and emerging.
* Examples of these policies are the Library Code of Ethics, the Library Bill of Rights and the Freedom to READ Statement which are guiding documents for all libraries and librarians

**In 1939 – At the Midwinter meeting, ALA Council adopted the Code of Ethics of the American Library Association – it’s been amended over the years and as it stands now it states among other things that:**

* We are members of a profession explicitly committed to intellectual freedom and the freedom of access to information.
* It outlines the values to which we are committed (like intellectual freedom), and embodies the ethical responsibilities of the profession in a changing information environment.
* And it stresses that we should distinguish between our personal convictions and professional duties.

**In that same year, John Steinbeck published *The Grapes of Wrath*.**

* The book was attacked by censors nationwide for "vulgar language" and “sexual references." And the widespread burning and banning of this book was a key factor in ALA's creation of the Library Bill of Rights.
* Adopted later that same year the Library Bill of Rights states:
* Materials should not be removed due to prejudice against specific viewpoints
* Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

**The Freedom to Read Statement, drafted by ALA in an effort to outline our stance on censorship states that:**

* As librarians, we believe our users will select the good and reject the bad.
* We’re not just assuming the best intentions – we are practicing making no assumptions about our users intentions.
* We trust our users to make their own decisions about what they read.
* We believe that what people read is deeply important to them
* That ideas can be dangerous;
* But that the suppression of ideas is fatal to a democratic society.

The Freedom to Read Foundation is a legal defense fund created to protect the 1st amendment as it pertains to our users’ rights to access information and ideas without interference and censorship.

* One of the first actions taken by the Foundation, was to bestow a grant to assist, wrongfully terminated - Missouri librarian, Joan Bodger, who was fired from the Missouri State Library and deemed a “Communist Pornographer” for her written support of a censored student newspaper.
* An executive board approved fact-finding report conducted by ALA’s Office of Intellectual Freedom cleared Bodger’s name
* And the Freedom to Read Foundation has continued to champion intellectual freedom fighters and is currently celebrating its 50th Anniversary.

**What does this mean for Our Users?**

* It means that users get to decide what to read, what to learn and how to learn it.
* And it means freedom to use the internet with a reasonable expectation of privacy.

**What does Intellectual Freedom mean to a library staff member?**

* Libraries need staff who value intellectual freedom.
* It’s easy in theory but it can get tricky when things get concrete. You may find yourself suggesting materials that you would never read, or explaining to a customer why an item that you find objectionable deserves space on our shelves.
* We feel that you can do this without compromising your personal values. The important thing is to support access. You are under no obligation to agree with or support the content of all the material in the library.
* You should support the right of all library users to access that content. We are the protectors of our users’ rights.
* So we should make resources available without censoring content or restricting access.
* Because, ultimately, library workers are in the best position to censor materials and create barriers, so we have to constantly be aware of using professional versus personal ethics.
* We believe an exceptional collection contains something for everyone. So we cannot be shy or reluctant to include material that some may not agree with.
* As library staff member one of your key take aways from this workshop should be this phrase: We have something FOR everyone and REPRESENTATIVE OF everyone.

**Intellectual Freedom in Action**

* The documents we’ve discussed so far are used by libraries to create policies that help us grow and adapt our services while staying consistent to the standards of our profession.
* Sometimes the value of intellectual freedom conflicts with our other values, for example:
  + As stewards of limited and finite resources, libraries must consider the needs of our users, budget realities, and our professional commitment to balanced representation in our collections.
* There isn’t always a black and white answer to these conflicts, nor is there a black and white answer to many of the Intellectual freedom scenarios we’ll discuss today, we’ve organized this workshop to help you become more conversational in Intellectual Freedom, because many times there is no easy answer

**PRACTICAL AND EVERYDAY (25 minutes)**

**Break (10 minutes)**

**The Big Picture: Public Library policies on Intellectual Freedom – PART 2 (20 minutes)**

Part 1 gave us an introduction to Intellectual Freedom. In this section, we will show you how libraries have built Intellectual Freedom into policies and processes specifically.

In the beginning of this workshop we learned that:

* Intellectual Freedom means unrestricted access to information and ideas.
* The library believes in the right of every individual to have access to quality information from all perspectives and in a format that they find useful.
* Intellectual Freedom encompasses the ideas of:

Privacy

Inclusiveness

Access

* These ideas apply to everyone working in or with a library.

**Privacy**

**The ALA Code of Ethics states – We protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.**

Some Examples of how we do this include:

* All patron information is considered private and confidential and not a matter of public record. Borrowing records are deleted form Workflows as soon as an item is returned.

**In the Policy on Confidentiality of Library Records, ALA states that:**

* For libraries to flourish as centers for uninhibited access to information, librarians must stand behind their users' right to privacy and freedom of inquiry
* And advises all librarians and library employees that records should not be made available to any agency of state, federal, or local government except through subpoena by an authorized authority
* Some public catalogs, like Bibliocommons-the public catalog the libraries here in KC use, offer ways for users to track their own borrowing history if they are interested. It is important to note that when we contract with a third party to provide online services to our users, often when a user creates an account through these third party service they agree to their privacy and user statements which do not always default to PRIVATE settings to protect information.
* Circulation records are not for personal use or public consumption without a court order/subpoena. You should check with your library policy to see who in your organization is responsible for fielding requests for records and surveillance from law enforcement.
* Staff should not discuss a user’s transactions with other USERS or uninvolved staff members. (It’s one thing to ask for advice or talk through best practices and a whole other thing to gossip about our users and interactions with them.)
* In many libraries staff put holds labels over the title information of materials before they are shelved to give users as much privacy as possible, and offer checkout stations for them to borrow their materials anonymously.
* Staff members have the same right to privacy as users, and this includes personal information such as schedules, vacations or illnesses, or what holds came in for them.

**Library staff and IT Departments staff do not monitor user’s use of the internet, whether it’s on a public or personal device.**

**ALA’s Access to Digital Information, Services, and Networks statement states that:**

* Libraries should use technology to enhance, not deny, digital access.
* We should provide library users the training and assistance necessary to find, evaluate, and use information effectively.
* And we should not deny or limit access to digital information because of its alleged controversial content or because of a librarian’s personal beliefs or fear of confrontation

**We shouldn’t finish looking at how we protect our users privacy without telling you about the USA PATRIOT ACT – it stands for "Uniting and Strengthening America by Providing Appropriate Tools Required to intercept and Obstruct Terrorism Act – it was an act of Congress signed into law on October 26th, 2001 in response to the 911 attacks.**

* The act broadly expanded surveillance and investigative powers of law enforcement concerning the internet, gave them greater authority and access to emails and voicemails and greater authority to conduct property searches
* Section 215 became known as the “Library Provision” and was used to allow law enforcement not only access to records but put gag-orders on institutions they had been requested from.
* In response, ALA began urging reforms almost immediately to protect customer privacy and confidentiality of library records as long standing principles of librarianship and First Amendment Rights; it took years but the advocacy and lobbying by librarians finally lead to a win for Intellectual Freedom and Privacy
* The USA Freedom Act was signed in by President Obama, putting an end to the NSA’s ability to use the Library Provision to collect library user data in bulk and allows for judicial review of the gag-orders that often accompanied the requests

**Inclusiveness**

**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.**

Examples of how we do this include:

* Library staff treats all users with the utmost respect and dignity regardless of their race, gender, ethnicity, or religion; also, they respect the opinions and ideas of both users and co-workers.
* Collection Management policies are used to help librarians select a broad and balanced collection with something for all members of our diverse communities
* Library staff should make displays that feature balanced viewpoints. Displays shouldn’t just be a group of books that one staff member likes.
* 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 and the institutions mission

**Many of our libraries offer community rooms and meeting spaces on an equitable basis regardless of the beliefs or affiliations of individuals or groups asking to use the room. Additionally, we offer chairs, couches, and comfortable spaces to all members of the community.**

* In 2019 the ALA Council amended their Meeting Room policy in an effort to be more inclusive and protect this service as a resource libraries offer to their users
* The policy states that meeting spaces should be made available to members of a community on "an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use." And suggests that a library may control time, place, and manner of use, provided those statements do not discriminate against users based on ideology or speech.

**Access**  
**The Library Bill of Rights states: All library resources should be provided for the interest, information, and enlightenment of ALL people in the community the library services.**

Examples of how we do this include:

* Pages work to shelve all materials in the correct place, because if we can’t find an item, it’s as if we didn’t purchase it in the first place.
* ILL Departments offer to request materials through WorldCat and MOBIUS, which increases the amount of materials users have access to.
* Several libraries now have dedicated programs for senior outreach that take our materials and services to disenfranchised populations that would otherwise not have access to the library.
  + Library-by-Mail services, such as Wolfner, offer library materials to homebound users delivered through the US Postal Service.
* Collection Development departments repurchases copies of older titles to meet demands of growing holds lists. They actively pursue titles with multiple viewpoints that represent the diverse population in our service area.
* Tech Services Departments makes sure that catalog records are clear and correct to make information retrieval as easy as possible.
* Even Delivery Services makes sure the amount of time it takes to get things is not a barrier to access. (There’s a balance to all of this, weighing the good of one person vs. the good of the group)

**Some libraries accept E-Rate funding in an effort to broaden users’ access to the internet and library resources. – Who know’s what E-Rate is?**

* E-Rate discounts are federal funding that libraries schools receive to help offset the cost of internet access and technologies allowing us to broaden our services.
* If a library accepts E-Rate funding, we must abide by CIPA (the Children’s Internet Protection Act) – Anyone know what CIPA stands for?
* CIPA is a law that places restrictions on the use of e-rate funding
* It requires the filtering or blocking of certain visual depictions and requires libraries to adopt and implement an Internet safety policy and operate “technology protection measures” (blocking and filtering) if a library or school wishes to receive E-rate funds
* Effectively asking us to censor access to our communities if we want the funding – some have opted to censor in favor of the funding, some have not
* As an example: Mid-Continent Public Library here in KC, they weighed the balance between censorship and providing broader access to their communities and chose to accept the additional funding and abide by CIPA. They automatically filter access to public computers unless a customer is authenticated by birth date as 18 years or older and thereby eligible for unfiltered access.
* Staff computers: All automatically have filtered access, because they employee library pages who are under the age of 18.
* MCPL filters three (3) categories: adults only, pornography, and sex.
* Users can request a blocked site to be unblocked by contacting staff
* Staff must review the site to determine if it should not be blocked
* Staff can unblock the site if the staff member conducting the review determines the site should not be blocked
* How about at your libraries? Raise your hand if you know you receive e-rate funding

**PRACTICAL AND EVERYDAY (25 minutes)**

**Break (10 minutes)**

**Access Challenged – PART 3 (20 minutes)**

**Access Challenged**

* We occasionally run into complaints about an item in our collection – How many of you have had to field one of these interactions or witnessed one?

**Who initiates challenges to library materials?**

* Which group surprises you the most?
* It’s important to recognize that valuing Access is not confined to the library’s walls; there may be times where a community business or organization needs the support of their libraries with Intellectual Freedom issues.
  + A good example was In 1986, Jim Deva co-created Little Sister’s Bookstore, the first LGBT bookstore in Vancouver, Canada.
  + Customs officials began seizing books published in the US at the border, claiming that they were obscene material.
  + Deva and his associates took the issue to Canadian Courts, and they gained the support of both the Canadian Library Association and the British Columbia Library Association
    - The associations organized public events and gave a platform for Deva & associates to speak about the issue to a broader audience.
    - Association members also wrote letters to government officials and politicians voicing concern over the material seizures and providing support for Deva’s efforts.
  + In 1996, the Canadian Supreme Court ruled that material already seized could not be released, but any future material could *not* be seized by customs.
  + In 1998, CLA awarded the Advancement of Intellectual Freedom award to Little Sister’s Bookstore.
* Deva’s story is a reminder that issues of intellectual freedom are not solely in the purview of libraries. If we truly value intellectual freedom, we must commit to defending and supporting it, wherever it’s infringed upon.

**Why do library resources get challenged?**

An Intellectual Freedom Cautionary Tale

* As we know, so-called sexual content is a mainstay of YA in that you’re dealing with young people coming into their own as complete beings. So it’s fairly common to see themes of emergent sexuality, questioning cultural and social mores, and so on. Thinking critically about identity, sexuality, and relationships is something that we would ideally support in our young people.
* But in 2009 in West Bend, Wisconsin a list of YA LGBT materials were challenged for “sexual content,” at the local public library.
* Moral panic, based on the broader social dynamics in the community gained purchase within the context of its public institutions. So, it’s not exactly about the books per se, but they are symbolic objects in addition to being simply parts of the collection.
* West Bend Community Memorial Library’s staff adhered to library policy with regard to challenges, and eventually decided to deny the community request to remove the objects from the collection. Librarians and staff were supported by the library board.
* But the Common Council (a governing body above the library board) was lobbied to remove the library board members who supported library policy in addition to staff and one librarian.
* This issue came down to a split decision: the books were not censored, but staff, administration, and board were punished for standing their ground.
* The happy by-product of a challenge like this which encompassed an entire community is that it led to a lot discussion about library responsibility to the community (both LGBT and otherwise), [OIF issued a statement](https://www.oif.ala.org/oif/?p=234).
* If our ethics are going to matter, we have to be willing to carry through on them, and back them up with the force of action. Our LGBTQ patrons and their families depend on our institutions just as the rest of the community does.

**So there are a couple different types of complaints that we need you to be aware of**

* First is an EXPRESSION OF CONCERN: an informal question or complaint about a resource that an individual may find objectionable.
* The second is a CHALLENGE: and is an attempt to have a library resource removed or access restricted based on the objections of a person or a group.
* And third is a RECONSIDERATION: which is a formal, written request to remove or restrict access to a resource. Check to see if your library has a form and process for reconsideration requests.

So, who is responsible for fielding what?

* We think all staff to be prepared to receive expressions of concern about materials and services the library provides – this is where most interactions start and we hope with some of the discussions we have in this workshop that you will be better prepared to have these conversations. There are opportunities for these conversations to go really well if they start off on the right foot.

**So how do you effectively have these conversations?**

* Step one: LISTEN, this is the big one. Many users just need to express their concerns, sometimes they are embarrassed that they checked the item out and don’t want anyone thinking they might agree with the content and sometimes they just want to make sure you (the library) know they do not agree with the content.
* Step two: EMPATHIZE BUT DON’T APOLOGIZE. Let them know that you understand they have a concern; we value the opinions of our community of users. Cardholders are free to express opinions or concerns about specific library materials. “I’m sorry you feel that way,” is not apologizing
* Step three: ADVOCATE. We’ve talked about this before, conversations like this are the perfect opportunity to advocate for the library. Many of our users have a good understanding of what the library means to them, but few are aware of the overall mission of the library is to the community. Remind them that while we respect and value their opinions we do serve a variety of communities with all types of people and viewpoints and our collections and services reflect that.
  + Remember this? - We have something FOR everyone and REPRESENTATIVE OF everyone. While a user may reject materials for personal use, one may not restrict access to those materials by other library users. The presence of materials in the library collection does not indicate that the library endorses the content of the items
* Step four: REDIRECT. This is where you get to use your customer service skills and Readers’ Advisory tools. Offer them something else, ask them what they were looking for and help them find a material. Show them that we do have materials and services they would be interested in.
* Step five: NOTIFY YOUR MANAGER/Supervisor. They need to know when you’ve had any Intellectual Freedom issues with users, and they will want to talk with you about these interactions, offer you suggestions, praise your amazing de-escalation tactics and support you and your coworkers. They also want to be prepared in case the customer comes back or decides later they still want to seek further recourse.

**Step six: THERE IS NO STEP SIX.**

**Go home and identify who in your organization is responsible for fielding formal challenges and reconsiderations. It’s better to know now, before it happens; it help give you credibility when beginning the conversation.**

**What if that’s not enough?**

* Most libraries have a formal process for users and staff to follow
* When a formal challenge or reconsideration is received whomever is responsible for fielding these complaints should try to have their own advocacy and de-escalation conversation with the user
* Requests for reconsideration of the presence or placement of materials should be handled in an attentive, consistent, and timely manner. We suggest having this process outlined by policy for any library. There can be several steps to this process, most usually if a user still wishes to pursue the complaints after the first decision is made, an appeal can go before senior administration and even the board of a library. At each level we hope to address user concerns and educate the user of our purpose.
* Library employees need to follow the same procedures for challenging library materials as outlined for the other users, if they do not believe something is appropriate for their collection

**Review Steps slide again**

**PRACTICAL AND EVERYDAY (25 minutes)**

**FOLLOW UPS**

**Collection Development Policy – Review it**

**Reconsideration Form – Reporting to ALA, new link on MLA IFC page**

**WRAP UP AND QUESTIONS (15 minutes)**