Selection Policy and Procedures Manual

for the

Silsbee I.S.D. School Libraries

Revised and Updated

August 2025

Policy will be evaluated and updated as needed every three years.

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Purposes of the Silsbee I.S.D. School Libraries

The purposes of the Silsbee I.S.D. libraries are:

1. To provide materials and equipment that will enrich and support the educational program of the district, taking into consideration the academic curriculum of the district and the varied interests, abilities, needs, and maturity levels of the students served.

2. To organize and assume supervisory responsibilities for selecting, procuring, organizing, circulating, maintaining, and taking inventory of these materials and equipment.

3. To provide additional materials to attract students to reading, viewing, and listening as sources of pleasure and recreation over and above needed subject content.

4. To undertake the responsibilities set forth in the School Library Bill of Rights for School Library Media Center Programs and the Library Bill of Rights. (These statements are found in the policy manual under General Library Philosophy and Objectives.)

5. To provide the basic elements of the media program set forth in the Standards for School Media Programs established by the American Library Association and the Nationals Education Association.

***A copy of this policy will be kept on the SISD website and may be amended as necessary.
*** Library catalog can be access via SISD website

** All SISD libraries are under the direction of a certified district librarian that adheres to the Texas State Library & Archives Commission and the Texas Education Agency standards.

** Major components of the Library Standards

- Information Literacy
- Inquiry
- Reading
- Digital Learning
- Safe and Nurturing Environment
- Leadership

(for more detailed information see Appendix pg. 49)

General Library Philosophy and Objectives

The School Library Bill of Rights for School Library Media Center Programs sets forth the philosophy of materials selection as it is related to the educational program of the school. It is endorsed by the American Association of School Librarians (a division of the American Library Association and a department of the National Education Association). School libraries are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end the American Association of School Librarians asserts that the responsibility of the school library media center is:

1. To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles, and to provide maximum accessibility to these materials.

2. To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socio-economic backgrounds and maturity levels of the students served.

3. To provide materials for teachers and students that will encourage growth in knowledge and that will develop literary, cultural, and aesthetic appreciation, and ethical standards.

4. To provide materials which reflect the ideas and beliefs of religious, socials, political, historical, and ethnic groups and their contribution to the American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgments.

5. To provide a written statement, approved by the local Board of Education, of the procedures for meeting the challenge of censorship of materials in school library media centers.

6. To provide qualified professional personnel to serve teachers and students.

7. To develop a policy and procedure governing the use of library facilities ensuring that they are not in violation of the Library Bill of Rights.

Responsibility for Selection

The elected Silsbee Independent School Board of Trustees shall delegate to the Superintendent of Schools the authority and responsibility for selection of all print and non-print materials. Responsibilities for actual selection shall rest with appropriate professionally trained personnel who shall discharge this obligation consistent with the adopted selection criteria and procedures.

Selection is a cooperative process which involves curriculum, administrators, teachers, library media specialists, and students. Teachers are subject specialists with the added knowledge of the needs, interests, and abilities of their pupils. It is the responsibility of the library staff to consult with them, to provide them with as much bibliographic information as possible, and to secure their assistance in the evaluation of materials. Students can be encouraged to use bibliographic sources and to make recommendations for materials in which they are interested or which they need.

Finals recommendations for purchases rest with the district librarian with the approval of the campus principals and school board members. Selections are forwarded to the office of the business manager through the principal or other persons in charge of the duty of purchasing throughout the year.

The District Librarian will use professional journals, contacts, and critiques to aid in the selection of materials. State mandated testing and skill requirements and the current curriculum for the separate campuses will be considered in the development and maintenance of the collection, as well as student interest and grade level. Cooperation between the separate campuses will be implemented in the interest of the improvement of services and financial efficiency, always bearing in mind the requirements of copyright and the priorities of the originating campus. Collection development (acquisition and weeding) will be an ongoing activity to ensure the most current and useful collection for the students, teaching staff, and curriculum objectives of the district.

Please note that classroom collections should follow the same selection standards and criteria as the books held in the school library; however, it is the sole responsibility of the classroom teacher to make sure that all materials contained in the classroom “library” meet the current library standards. Classroom teachers should consult the SISD Library Policy and Procedure manual as well as consult with the school librarian and district curriculum director to ensure that their classroom “library” is within the stated guidelines.

Parents are the primary decision makers regarding their student. They have the rights and responsibilities to monitor their student’s access to materials – both inside the library as well as in classroom collections.

S.I.S.D. Library Patrons

The library patrons consist of all registered students and certified campus personnel on campus. It is the responsibility of the library to attempt to serve these patrons in all reasonable ways.

It is not the responsibility of the library to serve the non-campus population of the community, but community members who need information contained within a campus library may use the materials on campus with written permission of the administration of the school district or the school campus administration: the district superintendent, the campus principal, or the campus assistant principal(s).

The current student population of Silsbee I.S.D. is approximately 2654. Breakdowns of the community are as follows:

a. Ethnic Population:

i.	Caucasian	65%
ii.	African – American	19.44%
iii.	Hispanic	8.10%
iv.	Am. Indian/Alaskan	.19%
v.	Asian/Pacific Island	0.38%
vi.	Multi-Race	6.82%

b. Economically Disadvantaged: 68.88%

(Hardin County is below the average income for the state of Texas.)

c. Educational Information for the District

i.	High School diploma or higher	98.3%
ii.	GED	0%
iii.	At risk students	51.13%
iv.	Drop-out rate	3.2%
v.	Homeless	4.08%

*** Data taken from 2023-2024 Fall PIEMS report. Some information represents prior year's data and /or may reflect a 4 year projection average.

General Principles of Selection

1. The main purpose of media selection is to have the right materials available for the right patron at the right time.

2. Materials selection will be focused on the curriculum and subject area, with the age, ability level, and emotional and social development of the students in mind. In order to accommodate these criteria, it is necessary that the development be flexible.

3. Materials acquired should meet the high standards of quality in regard to content, expression, and format. All materials will attempt to provide for the largest number of users at the least cost without sacrificing said quality.

4. Materials shall be chosen to re-enforce respect for minority groups and the various ethnic groups of our pluralistic society. Materials will be available to help students gain an awareness and understanding of the many important contributions made to our civilization by these minority and ethnic groups.

5. All viewpoints of issues will be represented insofar as possible, within budget limitations, and with as much authoritative background as is available.

6. Materials on religion are chosen to explain rather than convince and are selected to represent the field as widely as relevant to the school purposes.

7. The selection of materials on political theories and ideologies, or on public issues is directed toward maintaining a balanced collection representing various views.

8. In a literary work of established quality, the uses of profanity or the treatment of sex is not an adequate reason for eliminating the material from the school library.

9. Materials on physiology, physical maturation, or personal hygiene should be accurate, informative, and in good taste.

10. Materials should be selected for their strengths rather than rejected for their weaknesses.

11. Parents are the primary decision makers regarding their student. They have the rights and responsibilities to monitor their student's access to materials – both inside the library as well as in classroom collections.

Materials Suitable for Selection

The expansion of school library programs to include a diversity of materials both tangible and computer generated is a natural outgrowth of the acceptance of the library as an integral aspect of the instructional program of the school. It is the function of the school libraries to provide materials and sources of information which support all district curriculum areas, using printed, audiovisual, and online media. Texas Education Agency guidelines for the development of campus learning resources state the following types of materials should be available:

1. A basic book collection appropriated in subject and quantity for the users it serves. (TEA specifies a minimum of ten titles per student: average standard specification is fifteen per student.)

2. Audiovisual materials such as film media, audio recordings, charts, models, and realia to provide alternative approaches to learning.

3. Professionals books, materials, and periodicals on instructional.

4. Equipment for using audiovisual materials and accessing technological sources.

5. Periodicals and newspapers (including online databases) supporting the curriculum of the school and reflecting current events, the culture, interests, and grade levels of the students.

6. Reference materials with the most accurate and up-to-date quantity of information possible within the confines of the budget and availability.

7. Material deemed "sexually explicit or profane or indecent content" will not be considered for purchase; however, material regarded as "sexually relevant" may be purchased following adopted SISD, TEA, and Texas State Library and Archives standards.

Criteria for the Selection of Materials

The merits of suggested materials are reviewed with regard to these criteria.

Each kind of materials will not necessarily meet every criterion due to the nature of the media type.

1. Authoritativeness

    a. Is the author well-known and highly regarded?
    b. Does he/she have qualifications (education, occupation, experience) which fit him/her for dealing with the subject?
    c. Is the publisher or producer reputable? Does the library have other good quality works by the publisher?
    d. What sources were used in gathering information for the material?

2. Authenticity

    a. Are the facts accurate?
    b. Are the facts impartially presented?
    c. Is the information up-to-date?

3. Appropriateness

    a. Is the vocabulary at the user's level?
    b. Are the material's concepts suited to the intended audience?
    c. Is the data useful or is it largely extraneous?
    d. Is correct readable grammar used?
    e. Is the format of the material correlated to the subject? Does the material add to subject communication?
    f. How does the titles and captions relate to the subject? Do they confuse the concepts?
    g. Do the narration, dialogue, and/or sound effects support the subject?
    h. Is it suitable for individual and/or group use at the intended grade level?

4. Scope
    a. Does the material treat the whole subject in general, or a specialized part of it?
    b. Is it concerned with the historical aspect of the subject, or some modern or forward-reaching aspect?
    c. What is the intended purpose of the material: reference? Recreation? Inspiration?
    d. Is the coverage as full as indicated in the preface, introduction, or guide?
    e. Is it a superior means of developing its theme's concepts, or are there better means?
    f. Will the content satisfy the demands of current subjects, or is it irrelevant to the current topics?
    g. Does it relate to the needs of the students?

5. Interest

    a. Will the message contained in this material hold the attention of the user?
    b. Is there a relationship between the material content and the user's cultural environment?
    c. Is there any intellectual challenge?
    d. Will it satisfy users' curiosity of a subject?
    e. Is it credible?
    f. Does it contain positive human values?
    g. Does it have sensory appeal? Is it stimulating?

6. Organization

    a. Is there logical development of ideas?
    b. Is there excess repetition?
    c. Are all the sequences related or pertinent?
    d. Is there balance in the use of narration and dialogue? Music and sound effects? Background elements?

7. Technical quality

    a. Is the typography clear and readable?
    b. Are the illustrations interesting, suitable, and in good taste? Do they contribute to the information?
    c. Is the format attractive?
    d. Is there tone fidelity, or distortion?
    e. Is there clarity of sounds and visuals?
    f. Is it easy to follow?

8. Special Features

    a. Are there illustrations, maps, bibliographies, or significant appendix materials needed by users of the material?
    b. Are there descriptive notes, teacher's and/or user's guides included?
    c. Are all accompanying materials pertinent and contributive to the subject?

9. Physical Characteristics

    a. Will the user find it easy to handle?
    b. Will it be easy to store?
    c. Is it durably constructed?
    d. Is it easily repaired?
    e. Does it come preprocessed or partially processed?

10. Utilization

a. Will the material be used?
b. How can it be used?
c. Is the necessary hardware or software available on the campus or within the district for the use of the materials?

11. Selection Aids

a. Is it recommended by any of the selection aids?
b. Is it rejected by any of the selection aids?

12. Cost

a. Does its cost conform to its worth?
b. Is it as inexpensive as satisfactory substitutes?
c. Will it requires the purchase of expensive equipment for use?
d. Will it be less expensive to rent this item?
e. Will it be expensive to replace, repair, process, store, or upgrade?
f. Do we have this material available elsewhere in the district?
g. Can this material be requested from Region V Educational Service Center?
h. Is it available to download at no cost on the internet?

13. Special Criteria for the Selection of Fiction a. Clarity of style
b. Authenticity of setting and facts in historical novels and plays c. Effectiveness of sustained interest in plot
d. Effectiveness and credibility of characterization e. General appeal and interest to students
f. Plausibility of action or outcome
g. Ability of writing style to enhance the story h. Effectiveness or appropriateness of dialogue
i. Appropriateness of physical features: size of print, quality of paper and binding, etc.
j. Integrity of audio-visual work to book it portrays

Selection of Periodicals and Electronic Databases

1. Newspapers

The library may subscribe to at least one local paper, one area paper, and one regional paper. However, if the funds are available, the library will subscribe to as many of the local papers and others as deemed necessary.

2. Magazines

The library's magazines will be selected for their appropriateness for the campus and for their relationship to the curriculum and with regard to students' interests.

3. Internet Resources

It should be kept in mind that many periodicals are available online. Some of these are free, others require a subscription fee. Those to which the library chooses to subscribe must meet the guidelines applied to hardcopy subscriptions. All online material must meet the criteria set by the district for online access.

Gifts of Materials

The library welcomes gifts of books and other resources materials from individuals and organizations but reserves the right of decision to add them to the collection, offer them to another collection or library, return them to the donor, or discard them. Gifts must meet the same criteria as those materials selected for purchase. Gifts will be absorbed into the existing collection. They cannot be placed in a special collection requiring special facilities or handling.

Upon request, an income tax receipt will be given in the form of a statement signed by the district librarian and listing the materials received. The donor, himself, must place a monetary value upon his gift. The receipt will be typed on official school stationary. A copy of the receipt will be kept in the library files and the original will be given to the donor.

Memorial gifts (in honor of or in memory of) will be acknowledged with personal letters from the district librarian. The letter will be sent to the honored persons(s) or the family of the person(s) to be commemorated. A gift plate noting the donor and the name of the honored or commemorated person will be attached to the gift.

Circulation Policy

The school libraries are for the benefit of all students and staff for the better education of the students and development of the curriculum. Therefore, guidelines are necessary for the use of materials to the benefit of all patrons. Patrons checking out and using S.I.S.D. items from district libraries are responsible for the return of these items in the same condition as at check-out in and in a reasonable timeframe also that others may also use these materials. To that end, the campus libraries have adopted the following policies:

- Patrons must go through check-out procedures to use library materials outside the library.
- Materials are on loan for a limited time period.
- Patrons with overdue materials or fines owing may not check out additional materials.
- Defaced, destroyed, or lost materials will be paid for by the patron responsible for them by check-out.
- Students patrons are limited in number of materials they may check out, determined by the separate campus libraries
- Fine policies are set by the individual campuses.

** Parents are the primary decision makers regarding their student. They have the rights and responsibilities to monitor their student's access to materials – both inside the library as well as in classroom collections.

All SISD libraries may choose to use the following overdue and replacement policy:

- $0.05 per day up to the price of book for regular checkouts
- $0.25 per day up to the price of book for reference material
- $1.00 per day up to the price of material for audio books
- $2.00 additional charge if book is lost to cover price of processing:
  Ex. Mylar cover - $1.00 and 3M security strip - $1.00

Weeding Policy

Selection is an ongoing policy which should include the removal of materials no longer appropriate and the replacement of lost and worn materials still of educational value. Systematic removal from the collection of materials no longer useful is essential to maintain the purposes and quality of the collection. The discarding of materials requires the same degree of attention
as initial selection and deserves careful study. There should be a thorough weeding annually, either at one concentrated time or periodically throughout the school.

The following are reasons for weeding the collection:

- To develop and maintain a collection which is up-to-date.
- To find books which need repair, rebinding, or replacing.
- To give the best quality possible library service through a collection.
- To keep collection updated and within the current library standards.

Kinds of material to be weeded

1. Out-of-date

   Teachers in rapidly changing subject areas may be asked to evaluate those materials that might be considered out-of-date. Those materials considered to contain historical research material will be re-shelved. As replacements for the materials arrive, the out-of- date materials will be weeded.

2. Worn materials

   Worn materials in poor or unusable condition will be deleted from the shelves and replaced with newer versions of these materials **if** they are still of value to the collection.

3. Non-circulating

   Materials which have not circulated in the past five years will be reevaluated. If they are still believed to have value to the curriculum, they will be given every opportunity for future checkout. If they still are not used, they will be weeded and replaced with a more appealing form of the pertinent information.

4. Duplicate copies - Multiple copies of materials no longer in demand will be weeded.

Procedures for Re-Evaluation of Materials

Any resident of the school district may challenge materials in the library collection despite the fact that these materials were selected by qualified personnel following correct selection criteria and procedure. When an objection is raised, the following procedures will be followed:

1. The district librarian shall explain to the complainant the district's selection procedure, criteria, and qualifications of those persons selecting the material and the purpose of that particular selection. The district librarian receiving a complaint regarding library materials shall try to resolve the issue informally.

2. In the event that the person making an objection to material is not satisfied with the initial explanation and desires to file a formal complaint, the complainant will be given a Request for Materials Reconsideration form.

    a. If the complainant wishes to formally object to the material in question, he/she must fill out the form, sign it, and return it to the district librarian.
    b. The principal shall then assemble a Materials Re-Evaluation Committee. This committee shall be made up of at least five members to be selected from the following:
        i. Campus administrator
        ii. Teacher in the subject area
        iii. District administrator
        iv. District school board member
        v. Community citizens

        Each category does not necessarily have to be represented.

    c. The material under complaint will not be withheld from use or circulation until a decision is handed down by the committee.

    d. A letter will be written to the complainant stating the status of his/her complaint and informing him/her of the formation of the re-evaluation committee.
    e. Each committee member will be given a form for re-evaluation and a booklet of pertinent information containing the following items:
        i. Purposes of the Silsbee I.S.D. School Libraries
        ii. General Library Philosophy and Objectives
        iii. General Principles of Selection
        iv. Materials, Selection, and Minors
        v. Instructions to the Re-Evaluation Committee
        vi. Criteria for the Selection of materials

vii. Copies of all available reviews from reputable, professional selection aids
viii. A copy of the complainant's Request for Materials Reconsideration form

f. Each committee member shall have an opportunity to read the entire printed material or preview the entire non-print material and shall complete a Materials Re-Evaluation Form which will be returned to the district librarian.
g. When all committee members have returned their forms, the district librarian will compile the results. The decision shall be made by a simple majority vote of the committee members.
h. The material in question may by
    i. Placed back in the open library collection
    ii. Removed entirely from the library
    iii. Denied access to the child of the complainant
    iv. Placed on the reserve shelf
i. A letter shall be written to the complainant stating the decision of the committee and the placement of the material re-evaluated.
j. The district librarian shall keep on file the following items:
    i. The completed Request for Materials Re-Evaluation form
    ii. The completed Materials Re-Evaluation Form filled out by each committee member
    iii. Copies of the letters sent to the complainant
    iv. Any written correspondence from the complainant
k. A decision to sustain a challenge shall not be interpreted as a judgment of irresponsibility on the part of the professionals involved in the original selection or use of the material.
l. Requests to re-evaluate materials which have previously been before the committee cannot be re-evaluated again for two years after the decision.
m. If the decision has been made to retain challenged material within the library, SISD may not be required to reconsider the material within two calendar years of the final decision
n. Any person dissatisfied with the decision of the District School board may appeal to the State Board of Education pursuant to State Law.

Computer and Internet Usage Policies

The mission of the Silsbee I.S.D. library system is to provide educational, informational, and recreational resources to patrons of all grades levels, cultural and economic backgrounds. The system will protect intellectual freedom, promote literacy, encourage lifelong learning, and provide library materials and information services.

The computer systems of Silsbee I.S.D. provide the opportunity to integrate electronic resources from information networks around the world with local resources. The Internet, as an information resource, enables each library to provide data beyond the confines of its own collection. It allows access to ideas, information, and commentary from around the globe. In introducing the Internet as a resource, the goal of the Silsbee I.S.D. libraries is to enhance existing collections in size and depth and provide more up-to-date information on current events.

While upholding and affirming the right of individuals to have access to constitutionally protected material, the library system also recognizes the scope of grade level from campus to campus and that some Internet sites may not be appropriate for any or all students in a school setting. In accordance with this premise, the school district has installed a filtering system on the Internet connection to block, as far as possible, any objectionable sites. Silsbee I.S. D. also provides and requires and Acceptable Use Policy to be signed by both the student and their parents, and to be placed on file. Failure to adhere to the rules of this policy may result in loss of user privileges.

Patrons may not use library facilities for any activity prohibited by federal, state, or local ordinance. Other prohibited activities include, but are not limited to the following:

- Using library facilities to gain unauthorized access to the campus networks or computer systems or to any other network or computer system in any other facility.
- Obstructing other people's work by using the system unreasonably or by deliberately crashing or disrupting the computer system.
- Making any attempt to deliberately damage the computer hardware or software or to deliberately and knowingly introduce a computer virus.

- Making any attempt to alter, change, or modify software configurations. making any attempt to cause degradation of the system's performance.
- Using any workstation for illegal or criminal purpose.
- Using workstation for business or commercial activity or any kind.
- Violating copyright laws or software licensing agreements by the unauthorized reproduction or distribution of copyrighted or licensed materials.
- Engaging in any activity which is deliberately and maliciously harassing, offensive, libelous, or slanderous, or which invades another person's privacy.
- Installing personal software or copying software from the internet to the library's computer system.

Designated Internet stations will be located where they can be monitored by staff for assistance and security. Internet use will be in compliance with the rules and regulations state in the Acceptable Use Policy set by the school district. Failure to use the Internet stations appropriately and responsibly may result in revocation of Internet use privileges.

** Policy governs ALL electronic devices owned by SISD and any privately-owned device connected to SISD network.

Electronic Devices and Resources

Personal Electronic Devices:

- All electronic devices – personal or district provided - are bound to the regulations set forth by Silsbee ISD Policy.
- Refer to District Policy guidelines for specific inquires.

Electronic Resources:

- Educational databases will be provided based on need and funding.
- E-books and audiobooks may be provided based on need and funding.
    1. Resources are to be downloaded from home
    2. Usage is to be regulated by the parents/legal guardians

APPENDIX

Silsbee I.S.D. Policy and Procedure Manual
2024

AMERICAN LIBRARY ASSOCIATION CODE OF ETHICS

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
III. 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.
IV. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
V. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted June 28, 1997, by the ALA Council; Amended January 22, 2008.

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.

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.

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.

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

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

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

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.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; amended June 28, 1967; amended January 23, 1980; inclusion of ―age‖ reaffirmed January 24, 1996.

Access to Resources and Services in the School Library Media Program

An Interpretation of the LIBRARY BILL OF RIGHTS

The school library plays a unique role in promoting, protecting, and educating about intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem-solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library, the principles of the American Library Association's *Library Bill of Rights* apply equally to all libraries, including school libraries. Under these principles, all students have equitable access to library facilities, resources, and instructional programs.

School librarians assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School librarians work closely with teachers to integrate instructional activities in classroom units designed to equip students to locate, evaluate, and use a broad range of ideas effectively. Intellectual freedom is fostered by educating students in the use of critical thinking skills to empower them to pursue free inquiry responsibly and independently. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School librarians cooperate with other individuals in building collections of resources that meet the needs as well as the developmental and maturity levels of students. These collections provide resources that support the mission of the school district and are consistent with its philosophy, goals, and objectives. Resources in school library collections are an integral component of the curriculum and represent diverse points of view on both current and historical issues. These resources include materials that support the intellectual growth, personal development, individual interests, and recreational needs of students.

While English is, by history and tradition, the customary language of the United States, the languages in use in any given community may vary. Schools serving communities in which other languages are used make efforts to accommodate the needs of students for whom English is a second language. To support these efforts, and to ensure equitable access to resources and services, the school library provides resources that reflect the linguistic pluralism of the community.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library have access to resources and services free of constraints resulting from personal, partisan, or doctrinal disapproval. School librarians resist efforts by individuals or groups to define what is appropriate for all students or teachers to read, view, hear, or access regardless of technology, formats or method of delivery.

Major barriers between students and resources include but are not limited: to imposing age, grade-

level, or reading-level restrictions on the use of resources; limiting the use of interlibrary loan and access to electronic information; charging fees for information in specific formats; requiring permission from parents/legal guardians or teachers; establishing restricted shelves or closed collections; and labeling. Policies, procedures, and rules related to the use of resources and services support free and open access to information.

It is the responsibility of the governing board to adopt policies that guarantee students access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community, provide for a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. It is the responsibility of school librarians to implement district policies and procedures in the school to ensure equitable access to resources and services for all students.

Adopted July 2, 1986, by the ALA Council; amended January 10, 1990; July 12, 2000; January 19, 2005; July 2, 2008; and July 1, 2014.

[ISBN 8389-7053-2]

Access to Library Resources and Services for Minors

An Interpretation of the *Library Bill of Rights*

(formerly titled* "Free Access to Libraries for Minors*")

Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users violate 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, educational level, literacy skills, or legal emancipation of users violates Article V.

Libraries are charged with the mission of providing services and developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of library resources. The needs and interests of each library user, and resources appropriate to meet those needs and interests, must be determined on an individual basis. Librarians cannot predict what resources will best fulfill the needs and interests of any individual user based on a single criterion such as chronological age, educational level, literacy skills, or legal emancipation. Equitable access to all library resources and services shall not be abridged through restrictive scheduling or use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. Institutional self-censorship diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, games, software, and other formats.[1] 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.[2] Librarians and library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections because only a court of law can determine whether or not content is constitutionally protected.

The mission, goals, and objectives of libraries cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and legal guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and legal guardians to guide their own children's use of the library and its resources and services." Librarians and library governing bodies cannot assume the role of parents/legal

guardians or the functions of parental authority in the private relationship between parent and child. Librarians and governing bodies should maintain that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services, materials, or facilities should so advise their children.

Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, 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. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

Note

1. See *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011): a) Video games qualify for First Amendment protection. Like protected books, plays, and movies, they communicate ideas through familiar literary devices and features distinctive to the medium.. And 'the basic principles of freedom of speech . . . do not vary' with a new and different communication medium."

2. See *Erznoznik v. City of Jacksonville,* 422 U.S. 205 (1975): "Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors." See also *Tinker v. Des Moines School Dist.,* 393 U.S.503 (1969); *West Virginia Bd. of Ed. v. Barnette,* 319 U.S. 624 (1943); *AAMA v. Kendrick,* 244 F.3d 572 (7th Cir. 2001).

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 *under previous name* "Free Access to Libraries for Minors"; and July 1, 2014.

[ISBN 8389-7549-6]

THE TEXAS LIBRARY ASSOCIATION

INTELLECTUAL FREEDOM STATEMENT

A. **Preamble**

The Texas Library Association holds that the freedom to read is a corollary of the constitutional guarantee of freedom of the press. Freedom of choice in selecting materials is a necessary safeguard to the freedom to read, and shall be protected against extra-legal, irresponsible attempts by self-appointed censors to abridge it. The Association believes that citizens shall have the right of free inquiry and the equally important right of forming their own opinions, and that it is of the utmost importance to the continued existence of democracy that freedom of the press in all forms of public communication be defended and preserved. The Texas Library Association subscribes in full to the principles set forth in the LIBRARY BILL OF RIGHTS of the American Library Association, Freedom to Read Statement, and interpretative statements adopted thereto.

B. **Areas of Concern**

1. **LEGISLATION.** The Texas Library Association is concerned with legislation at the federal, state, local and school district level which tends to strengthen the position of libraries and other media of communication as instruments of knowledge and culture in a free society. The Association is also concerned with monitoring proposed legislation at the federal, state, local and school district level which might restrict, prejudice or otherwise interfere with the selection, acquisition, or other professional activities of libraries, as expressed in the American Library Association's LIBRARY BILL OF RIGHTS and the Freedom to Read Statement.

   The Intellectual Freedom Committee works with the Legislative Committee to watch proposed legislation, at the various levels, which would restrict or interfere with the selection, acquisition, or other professional activities of libraries.

2. **INTERFERENCE.** The Association is concerned with the proposed or actual restrictions imposed by individuals, voluntary committees, or administrative authority on library materials or on the selection judgment, or on the procedures or practices of librarians.

   The Intellectual Freedom Committee attempts to eliminate restrictions which are imposed on the use or selection of library materials or selection judgment or on the procedures or practices of librarians; receives requests for advice and assistance where freedom has been threatened or curtailed; and recommends action to the Executive Board where it appears necessary.

3. **MATERIALS SELECTION POLICY.** The Texas Library Association believes that every library, in order to strengthen its own selection process, and to provide an objective basis for evaluation of that process, should develop a written official statement of policy for the selection of library materials.

   The Intellectual Freedom Committee encourages all libraries to develop a written statement of policy for the selection of library materials which includes an endorsement of the LIBRARY BILL OF RIGHTS.

4. **EDUCATION.** The Texas Library Association is concerned with the continuing education of librarians and the general public in understanding and implementing the philosophy inherent in the LIBRARY BILL OF RIGHTS and the ALA Freedom to Read Statement.

   The Intellectual Freedom Committee supports an active education program for librarians, trustees, and the general public.

5. **LIAISON WITH OTHER ORGANIZATIONS.** The Texas Library Association, in order to encourage a united front in defending the rights to read, shall cooperate with other organizations concerned with intellectual freedom.

   The Intellectual Freedom Committee advises on TLA positions and cooperates with other organizations.

Adopted September 15, 1972
by the TLA Council

Reaffirmed April 7, 1995
by the TLA Council

Updated June 12, 2013
by the TLA Council

Advocating Intellectual Freedom

Educating the American public, including library staff, on the value of intellectual freedom is fundamental to the mission of libraries of all types. Intellectual freedom is a universal human right that involves both physical and intellectual access to information and ideas. Libraries provide physical access through facilities, resources, and services and foster awareness of intellectual freedom rights within the context of educational programs and instruction in essential information skills.

The universal freedom to express information and ideas is stated in the Universal Declaration of Human Rights, Article 19:

> Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.

The importance of education to the development of intellectual freedom is expressed in the Universal Declaration of Human Rights, Article 26:

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. . . .
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial, or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

In addition, Article I of the American Library Association's *Library Bill of Rights* "affirms that all libraries are forums for information and ideas." Physical access to information is listed as the first principle:

> 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.

Article II of the *Library Bill of Rights* emphasizes the importance of fostering intellectual access to information by providing materials that allow users to evaluate content and context and find information representing multiple points of view:

> 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.

Libraries of all types foster education by promoting the free expression and interchange of ideas, leading to empowered lifelong learners. Libraries use resources, programming, and

services to strengthen intellectual and physical access to information and thus build a foundation of intellectual freedom: developing collections (both real and virtual) with multiple perspectives and individual needs of users in mind; providing programming and instructional services framed around equitable access to information and ideas; and teaching information skills and intellectual freedom rights integrated appropriately throughout the spectrum of library programming.

Through educational programming and instruction in information skills, libraries empower individuals to explore ideas, access and evaluate information, draw meaning from information presented in a variety of formats, develop valid conclusions, and express new ideas. Such education facilitates intellectual access to information and offers a path to a robust appreciation of intellectual freedom rights.

Adopted July 15, 2009, by the ALA Council; amended July 1, 2014.

MATERIALS SELECTION AND ACCESSIBILITY

The materials selection and accessibility policy of the Silsbee I.S.D. library system is based on the following principles:

1. The freedom to read, along with the freedom to hear and to view, is protected by the First Amendment to the Constitution. These freedoms are held to be essential to our democracy and will be upheld, supported, and defended in the selection and the provision for accessibility of all library materials.
2. Freedom of choice in selecting materials is a necessary safeguard to the freedom to read, to hear, and to view.
3. It is the essence of democracy that citizens shall have the right of free inquiry and equally important right of forming their own opinions. In a free society, each individual is free to determine for himself or herself what he or she wishes to read, to hear, or to view, and each group is free to determine what it will recommend to its freely associated members.
4. Selection of materials and their inclusion in the collection does not constitute or imply agreement with or approval of the content, viewpoint, implications, or means of expression of the materials.
5. The Library and its associated authorities do not serve in loco parentis. It is the parents or legal guardians only, who may restrict their children, and only their own children, from access to library materials. Selection will not be inhibited by the possibility that materials may inadvertently come into the possession of children. The Library subscribes to the American Library Association's Free Access to Libraries for Minors and its Access for Children and Young People to Videotapes and Other Non-print Formats.
6. The Library will attempt to provide materials for all members of the community the library serves, without exclusion.
7. A person's right of access to and use of library materials will not be denied or abridged because of origin, age, background, or views.
8. The Library recognizes that citizen input is a vital component in materials selection. This is important both for considering acquisition of new materials and for considering retaining materials already in the collection. Section V, "Patron Recommendation Regarding Materials," establishes a mechanism and procedure for this citizen input.
9. The Library is not a judicial body. Laws governing obscenity, subversive materials, and other questionable matters are subject to interpretation by the courts. Consequently, no challenged material will be automatically removed from the library for complaints of obscenity, subversive-ness, or any other category covered by law until after an independent determination by a judicial officer in a court of competent jurisdiction, following an adversary hearing and in accordance with well-established principles of law shall have ruled against the material. Conversely, no materials will knowingly be selected which have previously been adjudicated to be in noncompliance with the law.

10. The Library will attempt to select materials which (within the framework of preserving the freedom to read, hear, and view) will provide for the interest, information, enlightenment, entertainment, pleasure, education, development, appreciation, stimulation, enrichment, and/or self-improvement of library patrons of all ages, walks of life, value and interest patterns, education, opinion, and persuasion to the degree possible within budgetary constraints, material availability and degree of understanding of the above needs and desires.
11. The Library will uphold the principles of the American Library Association's Library Bill of Rights, Freedom to Read Statement, Intellectual Freedom Statement, Freedom to View Statement, and Expurgation of Library Materials. In addition, the Library supports the Texas Library Association's Intellectual Freedom Statement.

In accordance with the above principles, the following policies will apply in regard to materials selection and accessibility:

1. ***Selection:*** As budgetary constraints limit the procurement of material to a small portion of what is available the selections will be made in furtherance of the above principles while attempting to maintain diversity, quality and responsiveness to interest patterns.
    a. Diversity will be pursued by attempting to meet the purposes for the use of materials for all ages and educational levels, by providing as many subject fields as possible, by providing alternative and/or opposing viewpoints, by providing unpopular as well as popular materials, and by providing a variety of materials reflective of the diversity existing in our culture and society. The Library subscribes to the American Library Association's Diversity in Collection Development.
    b. Quality will be pursued by the application of the professional discretion and standards established by the library profession and through the use of appropriate selection aids. Reviews in professionally recognized periodicals are a primary source for materials selection. Standard bibliographies, as well as booklists and recommendations by recognized authorities, will be used.
    c. Responsiveness to interest patterns will be pursued by careful considerations of requests for purchases, patterns of utilization of existing materials, patterns of purchases of similar materials from retailers, and any other source of information indicative of community interest patterns. An attempt will be made to meet, to the degree possible, the interests of all in the community, while acknowledging and recognizing that this is an ideal to be pursued rather than an achievable objective. Responsiveness to the interest of one individual or group will not be restricted on the basis of the dislike or disinterest of another individual or group.
    d. Selections may be made on the basis of any one, several, or all of the above considerations.
    e. Excessive duplication will not occur in the selection of materials. This will generally apply to books that are not of general interest, such as professional works, textbooks, some religious materials, and others available elsewhere to special interest groups. Materials may also not be selected if the field is already covered by the existing collection.

f. Materials which do not conform to or lend themselves to library use or format will usually be excluded.
g. Selections will be made within budgetary constraints and with regard to the overall pattern of the existing compliance with all policies and principles.
h. Gifts and unsolicited materials will be evaluated in light of the above policies and principles as per any other selection.
i. Patron requests for the purchase of materials will be evaluated in light of the above policies and principles as per any other selection. Reporting on requested materials that are not purchased by the library will be made by reference to the Material Selection and Accessibility Policy Statement.
j. The Library keeps the collection vital and useful by retaining or replacing essential materials, and by removing, on a systematic and continuous basis, those works that are worn, outdated, of little historical significance, or no longer in demand. The Library subscribes to the American Library Association's Evaluating Library Collections.

2. ***Accessibility*** to all library materials will not be restricted or prejudiced.
    a. Restriction will be avoided by allowing all patrons access to all materials and by allowing all library card holders to check out any library materials (subject to library card use restrictions) regardless of origin, race, age, gender, background or views.
    b. Prejudice will be avoided by not labeling materials other than by providing classification (e.g., Dewey Decimal System), directional aids, and major categorization of interest patterns. See the American Library Association's Statement on Labeling. The distinction between the children and youth versus the adult section will be made on assumed differential interest patterns. Appropriateness of the materials for minors is the sole responsibility of the parent/legal guardian.

3. **Responsibility and Authority**

The Library is authorized to develop such procedures and guidelines as may be necessary to carry out these Materials Selection and Accessibility policies.

MATERIALS, SELECTION, AND MINORS

Literature has been the school's traditional vehicles for helping students make sense of the world, and for studying human behavior. As we each bring our own personal experiences and personalities to all media we read or view, it is humanly impossible to be free from personal feelings, and therefore impossible to be truly objective. However, it is possible and desirable to be fair in one's judgment: to try to recognize one's own likes and dislikes and separate them from the basis of decisions one makes. In book selection, fair judgments should be expected.

The goal of the library media specialist is to offer readers as broad a selection of books as possible that meet the criteria set for selection. His/her responsibility is to select books of value and appeal to students and to try to encourage readers to develop critical reading skills. It is not to set standards of quality governed by uniform moral vision or to exclude descriptions of characters and experiences that offend the tastes of community members.

The American Library Association Council has made a clear statement on censorship and limiting materials to minors:

—Restrictions are often initiated under the assumption that certain materials are „harmful" to minors, or in an effort to avoid controversy with parents who might think so." This imposes a restriction, without regard to the rights and desires of ***all*** *library users. "Those who would restrict the availability of materials to minors because of actual or suspected parental objection should bear in mind that the American Library Association hold that it is the parent---and only the parent---who may restrict* ***his*** *children---and only his children---in reading matter. The parent who would rather his child did not read certain materials or certain kinds of materials should so advise the child.*‖

American Library's **Statement on Labeling**:

—No person should take the responsibility of labeling publications. No sizable group of persons would be likely to agree either on the types of materials which should be labeled or the sources of information which should be regarded with suspicion.‖

STATEMENT ON LABELING

An Interpretation of the LIBRARY BILL OF RIGHTS

The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access. Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, providing access to digital information does not indicate endorsement or approval of that information by the library. Labeling systems present distinct challenges to these intellectual freedom principles.

Labels may be a library-sanctioned means of organizing resources or providing guidance to users. They may be as simple as a colored dot or strip of tape indicating reference books or fiction or as elaborate as the Dewey Decimal or Library of Congress call number systems.

Labels as viewpoint-neutral directional aids are intended to facilitate access by making it easier for users to locate resources. Users may choose to consult or ignore the directional aids at their own discretion. Viewpoint-neutral directional labels are a convenience designed to save time. These are different in intent from attempts to prejudice, discourage, or encourage users to access particular library resources or to restrict access to library resources. Labeling as an attempt to prejudice attitudes is a censor's tool. The American Library Association opposes labeling as a means of predisposing people's attitudes toward library resources.

Prejudicial labels are designed to restrict access, based on a value judgment that the content, language, or themes of the resource, or the background or views of the creator(s) of the resource, render it inappropriate or offensive for all or certain groups of users. The prejudicial label is used to warn, discourage, or prohibit users or certain groups of users from accessing the resource. Such labels sometimes are used to place materials in restricted locations where access depends on staff intervention.

Directional aids can also have the effect of prejudicial labels when their implementation becomes proscriptive rather than descriptive. When directional aids are used to forbid access or to suggest moral or doctrinal endorsement, the effect is the same as prejudicial labeling. Even well-intentioned labels may have this effect.

Prejudicial labeling systems assume that the libraries have the institutional wisdom to determine what is appropriate or inappropriate for its users to access. They presuppose that individuals must be directed in making up their minds about the ideas they examine. The American Library Association opposes the use of prejudicial labeling systems and affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access.

Adopted on June 30, 2015, by ALA Council.

TEXAS LIBRARY ASSOCIATION

CONFIDENTIALITY OF LIBRARY RECORDS

Until September, 1993 the privacy of library users was protected by a July, 1975 opinion from the Attorney General of Texas.

The confidentiality of library patrons in Texas is now protected by the Texas Open Records Act.

TEXAS LAW PROTECTS THE

PRIVACY OF LIBRARY USERS

The records of library materials you borrow or use, the information you seek in the library or the library services you use cannot be disclosed to anyone except:

1. As reasonably necessary for the operation of the library;
2. Persons authorized, in writing, by the individual named in the records; or
3. By order or subpoena of a district court, issued on a showing of good cause.

**As of September 1, 1993, the Texas Open Records Act protects the confidentiality of the records of any library system which is supported in whole or in part by public funds, that identify or*
serve to identify a person who requested, obtained, or used a library material or service.

REQUEST OF RECONSIDERATION FORM

Title: _____

Book _____ Periodical_____ Other_____

Author:_____

Publisher:_____

Request initiated by:_____

Address:_____

City:_____ State:_____ Zip:_____

Telephone:_____

Request made on behalf of :

____yourself _____An organization (name) _____other group (name)

1. Did you read/view the entire work?

2. What is your objection? Please be specific. Cite pages.

3. What I positive about the work?

4. What do you feel might be the result of reading/viewing the material?

5. For what library patrons would you recommend this work?

6. What is the theme of the work?

7. What resource(s) do you suggest to provide additional information on this topic?

8. Action requested:

    a. Return it to the staff selection committee/department for reevaluation

    b. Other. Explain

9. In its place, what work would you recommend that would convey as valuable a perspective of the subject treated?

10. Have you filed a "Request of Reconsideration Library Materials" before? Yes or No

11. Are you aware of judgements of this work by media or literary reviewers? Yes or No

12. Have you read the Library Bill of Rights? Yes or No

13. Are you familiar with the present district policy regarding book and materials selection ?

    Yes or No

14. Are you familiar with classroom and/or subject requirements regarding this work? Yes or

    No

SIGNATURE: _____

American Library Association

Texas Library Association

Sam Houston School of Library Science

MATERIALS RE-EVALUATION FORM

Committee Member: _____

Title of work evaluated: _____

Author or Producer of this material: _____

Type of material: _____

Request for re-valuation initiated by:

Name: _____

Address: _____

Phone: _____

Complainant represents: _____himself/herself _____organization (name)

Nature of complaint: _____

1. Is this material appropriate for the intended age-group?
2. If non-fiction, is the information accurate?
3. Does this work relate to the subject area?
4. If fiction, does it have a constructive message?
5. Is the material well-written or produced?
6. Do you feel this work would have a negative effect on the students for which it is intended?
7. Do you feel that any strengths of this work out-weight any weaknesses?
8. Any comments pertinent to the evaluation of this material: _____
   _____

Recommendation for this material:

_____a. Place it back in open library collection.
_____b. Restrict circulation to certain grades or classes.
_____c. Place it on a restricted shelf in the library.
_____d. Remove it from the library.

_____ _____

(Signature of Committee Person) (Date)

ACCESS TO LIBRARY RESOURCES AND SERVICES REGARDLESS OF SEX, GENDER IDENTITY, OR SEXUAL ORIENTATION

An Interpretation of the LIBRARY BILL OF RIGHTS

American libraries exist and function within the context of a body of laws derived from the United States Constitution and the First Amendment. The Library Bill of Rights embodies the basic policies that guide libraries in the provision of services, materials, and programs. In the preamble to its Library Bill of Rights, the American Library Association affirms that all [emphasis added] libraries are forums for information and ideas. This concept of forum and its accompanying principle of inclusiveness pervade all six Articles of the Library Bill of Rights. The American Library Association stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation: • Article I of the Library Bill of Rights states that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." The Association affirms that books and other materials coming from gay, lesbian, bisexual, and/or transgendered presses, gay, lesbian, bisexual and/or transgendered authors or other creators, and materials regardless of format or services dealing with gay, lesbian, bisexual and/or transgendered life are protected by the Library Bill of Rights. Librarians are obligated by the Library Bill of Rights to endeavor to select materials without regard to the sex, gender identity, or sexual orientation of their creators by using the criteria identified in their written, approved selection policies (ALA policy 53.1.5). • Article II maintains that "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." Library services, materials, and programs representing diverse points of view on sex, gender identity, or sexual orientation should be considered for purchase and inclusion in library collections and programs. (ALA policies 53.1.1, 53.1.9, and 53.1.11). The Association affirms that attempts to proscribe or remove materials dealing with gay, lesbian, bisexual, and/or transgendered life without regard to the written, approved selection policy violate this tenet and constitute censorship. • Articles III and IV mandate that libraries "challenge censorship" and cooperate with those "resisting abridgement of free expression and free access to ideas." • Article V holds that "A person's right to use a library should not be denied or abridged because of origin, age, background or views." In the Library Bill of Rights and all its Interpretations, it is intended that : "origin" encompasses all the characteristics of individuals that are inherent in the circumstances of their birth; "age" encompasses all the characteristics of individuals that are inherent in their levels of development and maturity; "background" encompasses all the characteristics of individuals that are a result of their life experiences; and "views" encompasses all the opinions and beliefs held and expressed by individuals.

Therefore, Article V of the Library Bill of Rights mandates that library services, materials, and programs be available to all members of the community the library serves, without regard to sex, gender identity, or sexual orientation. This includes providing youth with comprehensive sex education literature (ALA Policy 52.5.2). • Article VI maintains that "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." This protection extends to all groups and members of the community the library serves, without regard to sex, gender identity, or sexual orientation. The American Library Association holds that any attempt, be it legal or extra-legal, to regulate or suppress library services, materials, or programs must be resisted in order that protected expression is not abridged. Librarians have a professional obligation to ensure that all library users have free and equal access to the entire range of library services, materials, and programs. Therefore, the Association strongly opposes any effort to limit access to information and ideas. The Association also encourages librarians to proactively support the First Amendment rights of all library users, regardless of sex, gender identity, or sexual orientation. Adopted June 30, 1993; amended July 12, 2000, by the ALA Council; amended June 30, 2004, by the ALA Council. [ISBN 8389-7701-4]

Access for Children and Young Adults to Nonprint Materials

An Interpretation of the Library Bill of Rights

Library collections of nonprint materials raise a number of intellectual freedom issues, especially regarding minors. Article V of the Library Bill of Rights states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

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

. . . The "right to use a library" includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

. . . [P]arents—and only parents—have the right and responsibility to restrict access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

Policies that set minimum age limits for access to any nonprint materials or information technology, with or without parental permission, abridge library use for minors. Age limits based on the cost of the materials are also unacceptable. Librarians, when dealing with minors, should apply the same standards to circulation of nonprint materials as are applied to books and other print materials except when directly and specifically prohibited by law.

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

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

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

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

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Access to Digital Information, Services, and Networks

An Interpretation of the LIBRARY BILL OF RIGHTS

Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.1 Libraries and librarians protect and promote these rights regardless of the format or technology employed to create and disseminate information.

The American Library Association expresses the fundamental principles of librarianship in its Code of Ethics as well as in the Library Bill of Rights and its Interpretations. These principles guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to digital information, services, and networks.

Libraries empower users by offering opportunities both for accessing the broadest range of information created by others and for creating and sharing information. Digital resources enhance the ability of libraries to fulfill this responsibility.

Libraries should regularly review issues arising from digital creation, distribution, retrieval, and archiving of information in the context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are upheld. Although digital information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it, many people lack access or capability to use or create digital information effectively.

In making decisions about how to offer access to digital information, services, and networks, each library should consider intellectual freedom principles in the context of its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures, or regulations relating to digital information and services should be scrutinized for potential violation of user rights. User policies should be developed according to the policies and guidelines established by the American Library Association, including "Guidelines for the Development and Implementation of Policies, Regulations, and Procedures Affecting Access to Library Materials, Services, and Facilities."

Users' access should not be restricted or denied for expressing, receiving, creating, or participating in constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved, utilized, or created digitally is constitutionally protected unless determined otherwise by a court of competent jurisdiction. These rights extend to minors as well as adults ("Free Access to Libraries for Minors"; "Access to Resources and Services in the School Library Media Program"; "Access for Children and Young Adults to Nonprint

Materials"; and "Minors and Internet Interactivity").

Libraries should use technology to enhance, not deny, digital access. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with "Privacy: An Interpretation of the Library Bill of Rights," and "Importance of Education to Intellectual Freedom: An Interpretation of the Library Bill of Rights."

Equity of Access

The digital environment provides expanding opportunities for everyone to participate in the information society, but individuals may face serious barriers to access.

Digital information, services, and networks provided directly or indirectly by the library should be equally, readily, and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive support from public funds (50.3 "Free Access to Information"; 53.1.14 "Economic Barriers to Information Access"; 60.1.1 "Minority Concerns Policy Objectives"; 61.1 "Library Services for the Poor Policy Objectives"). All libraries should develop policies concerning access to digital information that are consistent with ALA's policies and guidelines, including "Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights," "Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities," and "Services to Persons with Disabilities: An Interpretation of the Library Bill of Rights."

Information Resources and Access

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained digitally. Libraries have an obligation to provide access to government information available in digital format.

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Libraries and librarians should not deny or limit access to digital information because of its allegedly controversial content or because of a librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to digital information solely on the grounds that it is perceived to lack value. Parents and legal guardians who are concerned about their children's use of digital resources should provide guidance to their own children. Some information

accessed digitally may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the Library Bill of Rights (ALA Policy Manual, 53.1.17, Resolution on the Use of Filtering Software in Libraries). If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.3

Digital resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to digital resources as much as they do to the more traditional sources of information in libraries ("Diversity in Collection Development").

1Martin v. Struthers, 319 U.S. 141 (1943); Lamont v. Postmaster General, 381 U.S. 301 (1965); Susan Nevelow Mart, The Right to Receive Information, 95 Law Library Journal 2 (2003).

2Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969); Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853, (1982); American Amusement Machine Association v. Teri Kendrick, 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

3"If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user's election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as-applied challenge, not the facial challenge made in this case." United States, et al. v. American Library Association, 539 U.S. 194 (2003) (Justice Kennedy, concurring).

See Also: "Questions and Answers on Access to Digital Information, Services and Networks: An Interpretation of the Library Bill of Rights."

Adopted January 24, 1996; amended January 19, 2005; and July 15, 2009, by the ALA Council.

Silsbee ISD Student Acceptable Use Policy

Student Use of the Internet

Silsbee ISD is pleased to offer students access to a computer network for internet research and communications. In order to gain access to the interne, all students must obtain parental permission as verified by the signatures on the attached form. Should a parent prefer that a student not have internet access, use of the computers is still possible for more traditional purposes such as word processing.

- What is possible?

Access to the internet will enable students to explore thousands of libraries, databases, museums, and other repositories of information around the world. Silsbee ISD has purchased and implemented filtering software that will prevent most of the objectionable material from being viewed by students. While the purposes of the school are to use internet resources for constructive educational goals students may find ways to access other materials. Families should be aware that some defamatory, inaccurate, or potentially offensive material may still penetrate the filtering software even though it is updated two or three times a week. We believe that the benefits to students from access to the internet in the form of information resources and opportunities for collaboration exceed the disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. Therefore, we support and respect each family's right to decide whether or not to apply for access.

• What is expected?

Students are responsible for appropriate behavior on the school's computer network just as they are in classroom or on a school playground. General school rules for behavior and communications apply. It is expected that users will comply with district standards and the specific rules set forth below. The use of the network is a student privilege, not a student right, and may be revoked if abused. The user is personally responsible for his/her actions in accessing and utilizing the school's computer resources. Any misconduct while using district technology equipment will have punitive consequences. The students are advised never to access, keep, or send anything that they would not want their parents or teachers to see**.**

• What are the rules?

Inappropriate materials or languages-profane*,* abusive or impolite language should not be used to communicate nor should materials be accessed which are not in line with the rules of school behavior. A good rule to follow is never view, send, or access materials that you would not want your teachers and parents to see. Should students encounter such material by accident, they should report it to their teacher immediately.

Illegal copying-Students should never download or install any commercial software, shareware, or freeware on to network drives or disks. Students should not copy other peoples' work or intrude into other peoples' files. Students may not remove Silsbee lSD property, including software, from the campus without permission from an administrator or an administrative designee. There will be severe discipline and legal consequences.

Privacy-Network and computer storage areas may be treated like school lockers. The Silsbee lSD **maintains the right to review student communications to insure that students are using the system** responsibly.

Guidelines for Appropriate Use

These guidelines must be followed to prevent the loss of network privileges at school.

• Do not use a computer to harm other people or their work.
• Do not damage the computer or the network in any way.
• Do not interfere with network operations by installing illegal software, shareware or freeware.
• Do not load any other Internet provider software (example: AOL) onto district computers.
• Do not violate copyright laws.
• Do not view, send, or display offensive messages or pictures.
• Do not share your password with another person.
• Do not waste limited resources such as disk space or printing capacity.
• Do not use another student's password or trespass in another student's work or files.
• Do notify an adult immediately if, by accident, you encounter materials that violate appropriate use.
• Do abide by the Rules of Appropriate Use. You will be held accountable for your actions and for the loss of privileges if the Rules of Appropriate Use are violated.

Acceptable Use of District Technology Resources

To prepare students for an increasingly technological society, the district has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include the district's network systems and use of district equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from sending, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the
Educational environment. Any person taking, disseminating, transferring, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement

TITLE 13 CULTURAL RESOURCES
PART 1 TEXAS STATE LIBRARY AND ARCHIVES COMMISSION CHAPTER 4 SCHOOL LIBRARY PROGRAMS
SUBCHAPTER A STANDARDS AND GUIDELINES
RULE §4.2 School Library Programs: Collection Development Standards ISSUE 12/29/2023
ACTION Final/Adopted

(a) Each Texas public school district board or governing body must approve and institute a collection development policy that describes the processes and standards by which a school library acquires, maintains, and withdraws materials.

(b) A school library collection should include materials that are age appropriate and suitable to the campus and students it serves and include a range of materials. A school library collection should:

(1) Enrich and support the Texas Essential Knowledge and Skills (TEKS) and curriculum established by Education Code, §28.002 (relating to Required Curriculum), while taking into consideration students' varied interests, maturity levels, abilities, and learning styles;

(2) Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards;

(3) Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis; and

(4) Represent the ethnic, religious, and cultural groups of the state and their contribution to

Texas, the nation, and the world. (c)A school library collection development policy must:

(1)Describe the purpose and collection

development goals; (2)Designate the

responsibility for collection development;

(3)Establish procedures for the evaluation, selection, acquisition, reconsideration, and

deselection of materials; (4)Consider the distinct age groups, grade levels, and possible access to

materials by all students within a campus;

(5) Include a process to determine and administer student access to material rated by library material vendors as "sexually relevant" as defined by Education Code, §35.001 consistent with any policies adopted by the Texas Education Agency and local school board requirements;

(6) Include an access plan that, at a minimum, allows efficient parental access to the school district's library and online library catalog; and

(7) Comply with all applicable local, state, and federal laws and regulations. Specifically, a collection

development policy must: (A)Recognize that parents are the primary decision makers regarding

their student's access to library material;

(B) Prohibit the possession, acquisition, and purchase of harmful material, as defined by Penal Code, §43.24, library material rated sexually explicit material by the selling library material vendor under Education Code, §35.002, or library material that is pervasively vulgar or educationally unsuitable as referenced in Pico v. Board of Education, 457 U.S. 853 (1982);

(C) Recognize that obscene content is not protected by the First Amendment to the United States Constitution;

(D) Be required for all library materials available for use or display, including material contained in school libraries, classroom libraries, and online catalogs;

(E) Ensure schools provide library catalog transparency, including, but not limited to:

(i) Online catalogs that are publicly available; and

(ii) Information about titles and how and where material can be accessed;

(F) Recommend schools communicate effectively with parents regarding collection development,

including, but not limited to: (i)Access to district/campus policies relating to school libraries;

(ii) Consistent access to library resources; and

(iii) Opportunities for students, parents, educators, and community members to provide feedback on library

materials and services; and (G)Prohibit the removal of material based solely on the ideas contained in the

material or the personal background of the author of the
material or characters in the material.

(d) Evaluation of materials as referenced in this section includes a consideration of the factors described in subsection (b) of this section, consideration of local priorities and school district standards, and at least two of the following:

(1) Consideration of recommendations from parents, guardians, and local community members;

(2) Consultation with the school district's educators and library staff and/or consultation with library staff of similarly situated school districts and their collections and collection development policies;

(3) An extensive review of the text of item;

(4) The context of a work, including consideration of the contextual characteristics, overall fit within existing school library collection, and potential support of the school curriculum; or

(5) Consideration of authoritative reviews of the items from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

(e) A reconsideration process as referenced in this section should ensure that any parent or legal guardian of a student currently enrolled in the school district or employee of the school district may request the reconsideration of a specific item in their school district's library catalog. A reconsideration process should:

(1) Establish a uniform procedure an individual must follow when filing a request;

(2) Require a school district to include a form to request a reconsideration of an item on the school's public internet website if the school has a public internet website or ensure the form is publicly available at a school district administrative office;

(3) Require that the completed request for reconsideration form be distributed to the superintendent or superintendent designee, school librarian, and school district board of trustees or governing body at the time of submission;

(4) Include a reasonable timeframe, approved by the school board, for the review and final decision by a committee charged with the review of the item in its entirety. A district should convene a review committee in accordance with criteria established by the district to ensure a thorough and fair process. A reasonable timeframe

should take into account:

(A) The time necessary to convene a committee to meet and review the item;

(B) Flexibility that may be necessary depending on the number of pending reconsideration requests; and

(C) Other factors relevant to a fair and consistent process, including informing the requester on the progress of the review in a timely fashion;

(5) Establish a uniform process approved by the school district board of trustees or governing body for the treatment of any library material undergoing reconsideration;

(6) Include a review and appeal process approved by the school district board of trustees or governing body; and

(7) Provide that if an item has gone through the reconsideration process and remains in the collection, a school district may not be required to reconsider an item within two calendar years of the final decision.

(f) School districts should ensure a professional librarian certified by the State Board for Educator Certification or other dedicated professional library staff trained on proper collection development standards is responsible for the selection and acquisition of library materials.

(g) A school district must develop collection assessment and evaluation procedures to periodically appraise the quality of library materials in the school library to ensure the library's goals, objectives, and information needs are serving its school community and should stipulate the means to weed or update the collection.

(h) A school district's collection development policy should be reviewed at least every three years and updated as necessary.

(i) School districts may add procedures to these minimum requirements to satisfy local needs so long as the added procedures do not conflict with these minimum requirements.

(j) School districts are responsible for ensuring their school libraries implement and adhere to these collection development standards.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority. Filed with the Office of the Secretary of State on December 14, 2023

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