

BEFORE THE CENSOR COMES: HOW TO PROTECT YOURSELF AND YOUR COLLECTION

1. Have policies, procedures, and forms prepared in advance and right at hand.
 - a. Develop an official written materials selection policy based on the needs of the library's users and in conformity with the Library Bill of Rights. This policy will strengthen the collection development process and provide an objective basis for evaluation. The policy should be approved by the library's governing authority with the knowledge that written selection policies are working documents which should be reviewed and revised on a regular basis.
 - b. All policies should be endorsed by the library's governing authority. They should include expeditious step-by-step procedures for handling patron complaints about library materials or services. There should always be an endorsement of the Library Bill of Rights (and/or ACRL's Intellectual Freedom Principles for Academic Libraries) in the materials selection policy.
 - c. Adopt an "Acceptable Use Policy" for your computer users. Post copies of the AUP on every computer. Several model AUPs may be found on the Web. If possible, in the text of the AUP, cite relevant state law, such as that defining obscenity, statutes regarding materials "harmful to minors," etc.
 - d. Have a reconsideration form for handling complaints about materials. A standard form should ask the complainant to answer specific questions, such as:
 - (1) Has the complainant read, viewed, etc., the material in its entirety?
 - (2) To what does the complainant specifically object?
 - (3) What specifically does the complainant think is the problem, or where does the harm in the material come from?
 - e. Tips:
 - (1) Make sure the forms and policies require that the challenge be addressed one level at a time. For example, if the complainant wants the item removed from the classroom, address the challenge that way—if from the library also, make that a separate complaint.
 - (2) Make sure you have incorporated a reasonable time line for the procedures to take place. Adhere to it fairly strictly, but don't be unreasonable.
 - (3) Have a mechanism in place for the appointment of a reconsideration committee, which should include yourself, an administrator, and another librarian.
 - (4) Be aware that policies created in response to a specific individual or event will not stand up in court. You cannot enforce policies retroactively.
 - f. Have a library service policy that covers registration policies, programming, use of facilities, and other services involving access issues.
 - (1) Hold in-house training for staff and reviews on a regular basis. There should be a program that includes periodic in-service training to acquaint staff and the governing authorities with the Library Bill of Rights and the principles of intellectual freedom and with the library's own policies and procedures for handling complaints. All staff should attend—clerks, shelvers, administrators. Take nothing and no one for granted.
1. Know who the library's legal counsel is. Be aware of your legal standing.

Any subpoena should be examined by the library's legal counsel to make sure it is in proper form, has been issued by a judge in the correct jurisdiction, and that good cause has been shown for its issuance. Do not be intimidated into complying with a subpoena until the library's legal counsel has been consulted

2. Make provisions for maintaining lines of communication with civic, religious, educational, and political bodies in the community. The library's governing authority and staff participation in local civic organizations are important for acquainting these organizations with the library's selection process and with intellectual freedom principles. Form "understandings" or outright coalitions with other teachers, librarians, library groups, anti-censorship groups, and parent groups.
3. Necessary as all of this is, try not to get stuck in an "us v. them" mentality. Try to work with opposition as far as you can within the ethical framework of the library profession.

Good ideas for school libraries

Organize a Media Advisory Committee that will support the library.

- 1 Ask your principal to help appoint a committee that has representatives from each area (K-3, 4-6, 7-8, or by grade level). Include a parent representative, a student representative, and an administrator. Involve community members--ministers willing to speak against censorship are a wonderful asset.
- 2 Make sure you keep these people informed as to the latest trends in censorship--monitor the Office for Intellectual freedom listserv, read *Library Journal* and/or *School Library Journal*, and check the Office for Intellectual Freedom website (<http://www.ala.org/alaorg/oif/>) periodically.
- 3 Educate yourself concerning the legal precedents affecting library materials. ALA's Banned Books Week manual gives synopses of the most important intellectual freedom cases, including Pico, Hazelwood, and Kreimer.
- 4 Some very experienced school librarians have recommended that school library media specialists do their best to read or view every piece of library material under their care. This will take time and effort but will be worth it in terms of knowing your collection.

Additional suggestions for public libraries

- 1 Have policies that cover bulletin boards, exhibit areas, meeting rooms.
 Treat all groups
who use these facilities equally.
- 2 If a challenge incident involves confidentiality of library records, cite the
 Library
Registration and Circulation Records” provision of the Louisiana Revised Statutes (R.S. 44:13)
which protects the privacy of individuals’ circulation records.
 As used in this section, the term “registration records” includes any information
 which a library requires a patron to provide in order to become eligible to borrow
 books and other materials. The term “circulation records” includes all
 information which identifies the patrons borrowing particular books and other
 materials.

Adapted from materials furnished by the Minnesota Coalition Against Censorship, the ALA Office for Intellectual Freedom’s *Confidentiality in Libraries: An Intellectual Freedom Modular Education Program*, and the wisdom of many experienced librarians.