

<b>POL-LIB-2015-02</b>	<b>Issue No: 1.0</b>	<b>April 23, 2015</b>
Prepared By: <b>Catherine Christmann</b>	Page 1 of 2	Approved By: <b>Renee Payne Frankel</b> 
<b>Use of the Library by Minors Policy</b>		

## PURPOSE/SCOPE

Thomas Branigan Memorial Library abides by the ALA Library Bill of Rights and respects the rights of minors in their use of the library. We adopt the following as library policy:

## POLICY

### **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.<sup>1</sup> 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.<sup>1</sup> 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. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services." Librarians and governing bodies should maintain that parents – and only parents – have the right and the responsibility to restrict the 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

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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.

<sup>1</sup>See Erznoznik. 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 think unsuitable [422 U.S. 205, 214] 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 Tinker v. Des Moines School Dist., *supra*. Cf. West Virginia Bd. Of Ed. v. Barnette, 319 U.S. 624 (1943).”

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991, June 30, 2004.

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Title: Library Manager Bonnie Hobbs	Title: Acting Library Supervisor Elise Vidal
Title: Library Advisory Board, President Ellen Young	Title: Library Advisory Board, Vice President Debora Rindge
Title: Library Advisory Board, Secretary Susan Pinkerton	Title: Library Advisory Board, Friends Liaison Susan Fletcher
Title: Library Advisory Board, Member Paula Sharon	Title: Library Advisory Board, Member Jose Aranda