



PORTSMOUTH FREE PUBLIC LIBRARY

Policy Manual



Portsmouth Free Public Library Board of Trustees

This policy is determined by the Library Board of Trustees and is subject to periodic review and/or revision at the discretion of the Board.

OCTOBER 3, 2022

Policy Manual

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1000 MISSION AND OBJECTIVES

1010 Mission

The mission of Portsmouth Free Public Library is to serve as an essential resource that grows with our community, enhances the quality of life of our users, supports lifelong learning, and offers access to information in a variety of ways. We provide outstanding customer service and a welcoming environment for all. The Library shall enthusiastically promote its function in the community, provide full access to a broad variety of materials and information, including beyond the local collection, and function with efficiency and courtesy to provide a pleasant experience.

1020 Objectives

The Portsmouth Free Public Library offers service to all individuals and groups in the community. It strives to provide the community with the best possible service and facilities, and to make the public aware of the available library services. It accepts as its basic objective the assemblage, preservation and administration of books and related educational, information and recreational materials.

The Library serves the community as a center of reliable information and maintains a topical supply of materials to aid in continuing education and to facilitate informal education. Since financial limitations generally prevent equal emphasis on all aspects of these objectives, the Library recognizes that its major concern must be positive contributions toward the development of the individual as an informed citizen and the removal of ignorance, intolerance and indifference. Educational service to adults and children is a primary function. The Library endeavors to help the individual to use books and other media to meet their individual needs.

The Library supports educational, civic and cultural activities of community groups and organizations by providing materials for their use and assistance in the location and use of such materials for program planning, projects and education of members. Because the Library is primarily an instrument of self-education, it cooperates with all other education agencies, it encourages and maintains stimulation of use and interpretation of materials through publicity, display, reading lists, story hours, book and film discussion and other appropriate means in the organizations.

The Library provides special services for young people. It seeks to direct and stimulate young readers by making available professionally selected materials and skilled individual and group guidance in library utilization.

In provision of special services for children, the Library attempts to guide the child toward a feeling for reading and an awareness of books as a means of satisfying their mental, emotional and recreational interests. To integrate this program, the Library works closely with parents as well as with the children and cooperates with, but does not perform the functions of the schools or other institutional librarians.

The Portsmouth Free Public Library assumes a leadership role in the community and it takes the initiative in suggesting pertinent material on existing areas of concern within the community.

1030 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.

1. 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.
2. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. 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.
4. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. 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.
6. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
7. 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.

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8. 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.
9. We affirm the inherent dignity and rights of every person. We work to recognize and dismantle systemic and individual biases; to confront inequity and oppression; to enhance diversity and inclusion; and to advance racial and social justice in our libraries, communities, profession, and associations through awareness, advocacy, education, collaboration, services, and allocation of resources and spaces.

Revised June 29, 2021.

1040 Guidelines on Access to Information

The Portsmouth Free Public Library is guided by the following American Library Association statements on access to information:

1. The Library Bill of Rights
2. Freedom to Read Statement

In general, the Library is guided by a commitment to access to information policies that provide appropriate protections to its patrons while being consistent with the Library's longstanding commitment to the principles of free expression as set forth in the First Amendment to the United States Constitution.

1050 Intellectual Freedom

The American Library Association actively advocates and educates in defense of intellectual freedom—the rights of library users to read, seek information, and speak freely as guaranteed by the First Amendment. Intellectual freedom is a core value of the library profession, and a basic right in our democratic society. A publicly supported library provides free, equitable, and confidential access to information for all people of its community. Intellectual freedom implies freedom in the presentation of material on all sides of controversial questions, and in the dissemination of information on all subjects.

2000 LIBRARY RELATIONSHIPS

2010 Relationship with the Community

The first duty of the Library is service to the public. The formulation of policies necessarily demands an examination of the community that the library serves, the existing collection and the services which the Library is expected to perform.

While the Library is not a part of municipal government, it is a tax supported institution and its management must be cognizant of principles generally accepted and enforced in good public administration. Paramount in the staff member's mind should be the idea that he/she is a public employee and that the activities of the institution in carrying out its objectives are of first concern. Staff members, as well as Trustees and the Library Director, take an active part in community affairs and work consistently toward making the library an integral part of constructive community activities.

2020 Relationship with Other Libraries

The Library of Rhode Island network, LORI, is a voluntary collaboration of libraries of all types intended to provide users of each library with access to the information and materials available through all of Rhode Island's libraries. The Rhode Island library network was established into law on July 1, 1989 (RIGL 29-6-9) and consists of more than 200 libraries including public libraries and their branches, academic, school, hospital, institutional, state, and special libraries. The LORI network is administered by the Office of Library and Information Services (OLIS) using both state and federal funding. Network services provided from OLIS include support of resource sharing through interlibrary delivery, interlibrary loan and referral, reference services, and a competitive grant program. The Network relies on the advisory function of the Interlibrary Loan Working Group and on the cooperation of member LORI libraries.

The Portsmouth Free Public Library is a member of the Ocean State Libraries (OSL), a network of independent Rhode Island public libraries which share a database containing information about their library's materials and patrons. OSL operates a statewide network comprised of public libraries in the State of Rhode Island and provides a computerized, bibliographic database, circulation system, online catalog and other services to its library members.

Each member library remains an autonomous independent organization. Each library's policies regarding circulation of materials, fines, loan periods and other circulation practices are individually monitored in the database. OSL policies governing reciprocal borrowing, registration of non-resident borrowers, types of identification required for registration, and delinquent borrowers from other libraries have been developed and accepted by all members.

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All members participate in establishing and maintaining standards for ongoing cataloging and data entry. OSL libraries cooperate to improve the quality of the services they provide to their patrons. OSL also allows participation in larger networks through its connection with OLIS.

3000 LIBRARY ADMINISTRATION

3010 Governance

In 1897, under the Laws of the State of Rhode Island, the corporation, the Portsmouth Free Public Library Association, was established for the purpose of the free distribution of books and for other library purposes. While the Portsmouth Free Public Library performs the function of the public library for the Town of Portsmouth, it operates independently of the administration of the Town of Portsmouth.

The Board of Trustees is the governing body of the Portsmouth Free Public Library. It consists of members who are elected from the Portsmouth Free Public Library Association. Membership is open to all residents of the Town of Portsmouth who are eighteen years of age or older and pay annual dues. The Portsmouth Town Council may appoint two Trustees. The Trustees serve without remuneration of any kind. Non-residents may join the Association but do not have voting rights.

Legal responsibility is vested in the Board, which is the policy forming body of the institution. The Library carries liability insurance with the RI Interlocal Risk Management Trust. The Board's responsibilities include selection and appointment of the staff, promotion of library interests, and the securing of funds, property and equipment. Subject to existing statutes and ordinances, it has the power to determine the rules and regulations governing library service and personnel. Meetings of the Board are held monthly at the Library, except during July and August when there are no regularly scheduled meetings. The Annual Meeting of the Association is in May. In accordance with the Open Meeting Law S242 Sub B, all meetings will be publicized on the State of RI Office of the Secretary of State Open Meeting website and in the Library.

3020 Duties and Responsibilities of Trustees

Members of the Board of Trustees of the Portsmouth Free Public Library play a vital role in ensuring that the Library continues to function in accordance with the mission as stated in Section 1010 of this manual.

Specific Trustee duties and responsibilities are listed below.

1. Employ competent and qualified librarians.
2. Determine and adopt written policies to govern the operation and programs of the Library.
3. Determine the purposes of the Library and secure adequate funds to carry on the Library's program.
4. Review and approve the Library budget and monthly financial report.

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5. Know the program and needs of the Library in relation to the community; keep abreast of standards and library trends; cooperate with the Library Director in planning the Library program; and support the Library Director and staff in carrying it out.
6. Establish, support, and participate in a planned public relations program.
7. Assist in the preparations of an annual budget.
8. Know local and state laws; actively support library legislation in the state and nation.
9. Establish Library policies dealing with book and material selection.
10. Attend all board meetings and see that accurate records are kept on file at the Library.
11. Report regularly to the governing officials and the general public.
12. Participate in committees.

In order to perform these duties and fulfill these responsibilities, each Trustee must recognize that a primary prerequisite is active participation in the meetings of the Board and in the activities of the Library

Trustees must realize that they have an obligation of service to the Board and its President, to their committees as assigned, to the Library Director and staff, and to the library patrons and the community at large.

Board members who fail to fulfill their obligations of service may be removed by a two-thirds vote of the Board. Likewise, Board members may be removed for errors in excess of their authority, malfeasance, negligence, intentional tort or conflict of interest, Board members may voluntarily resigned or retire at any time and should inform the President of such resignation or retirement in a timely fashion.

3030 Library Support

The Portsmouth Free Public Library is primarily supported by an appropriation which is requested annually of the Town of Portsmouth.

Other sources of income are as follows:

1. State Aid. The Rhode Island Office of Library and Information Services is the administrator of this grant which is given annually to cities and towns to be used exclusively for library purposes.
2. Bequests, endowments, and gifts.
3. Fund-raising and grants.
4. Fines, library association memberships and fees.

3040 Administrative Organization

The Library Director is the Administrative Officer of the library. He/she/they act in the advisory capacity of a professional expert to the Board; recommends programs, policies and changes; attends all board meetings; recommends hiring/termination of an employee; and has the right to speak on all matters under discussion.

The Library Director is not a member of the Board and has, therefore, no vote on matters under consideration. Their duty, broadly speaking, is to carry out the policies and decisions of the Board as they affect both clients and employees and to provide monthly reports to the Board concerning the operation of the Library.

In the absence of the Library Director, the Assistant Director is in charge of the Library.

As the representative of the Board, and in exceptional circumstances, the President may authorize the expenditure of funds not already approved in the budget. The Library Director may also authorize such expenditure of funds. The Board of Trustees should be notified of such expenditures at the earliest opportunity.

4000 LENDING AND FACILITY USE POLICIES

4010 Overdue Fine Policy

The Board of Trustees of the Portsmouth Free Public Library establishes fines which are reviewed periodically. Fines are charged for each day the Library is open. Maximum fines are established by OSL and in no case does the fine exceed the replacement cost of the materials. Reminders of overdue material are sent automatically. Lengthy delinquency may require seeking outside assistance to recover library materials.

4020 Item Replacement Policy

Portsmouth Free Public Library patrons are responsible for returning materials on time and in good condition. Once an item has been declared "LOST", a patron is given a reasonable length of time to locate or pay for the lost material. The patron must pay all fees associated with replacement of the lost materials or return the "lost" materials and pay any overdue charge. If the material is not returned or paid for in 30 days, the patron will become ineligible to borrow or renew materials at all OSL libraries until such payment is made.

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If materials are lost or damaged beyond repair, the following price guide should be used to determine the charges:

1. Lost Library Materials

For all library materials the price in the item record will be charged. This information is available in the online record of the item.

For Portsmouth Free Public Library materials only, a **new and unused exact duplicate** of the item (i.e., the same ISBN) may be accepted in place of payment for the lost item.

No refund is given if a patron finds the lost item for which they had paid.

2. Damaged Library Materials

For Portsmouth Free Public Library materials only, damaged materials must be brought to the Library before an assessment can be made. If the material is slightly damaged but useable, the patron will be warned and may be charged according to Appendix B. If the material is damaged beyond repair, the patron must pay according to the guidelines established for lost materials. Damaged materials owned by all other libraries will be assessed by the owning library.

4030 Meeting Room Policy

Educating, enriching, entertaining and informing its patrons have always been central goals of the Portsmouth Free Public Library. Providing diverse and readily accessible materials, services and programs, while maintaining an atmosphere conducive to library use, are essential to accomplishing these goals.

Meeting rooms are available to support library programs and functions that further the mission and goals of the Library. When not being used by the Library, the rooms are available for use by community groups and literacy volunteers.

The meeting rooms are not available for political, partisan, religious, business or commercial gatherings.

Use of the meeting rooms does not imply endorsement, support or co-sponsorship by the Portsmouth Free Public Library of the activities that take place or the beliefs of the group using the room. Groups or individuals using the rooms may not imply that the event, program or ideas are endorsed by the Library in any advertising or publicity.

No selling, solicitation or taking orders may occur. No admission may be charged. A detailed copy of the fee schedule, rules, procedures and requirements is provided online at www.portsmouthlibrary.org. Online application for the use of the meeting room must be approved before the room and date is secured.

In all cases, the final decision for facility use will be at the discretion of the Library Director.

4040 Study Room Policy

Portsmouth Free Public Library maintains one Study Room for those patrons who want minimal distractions. The Study Room is open to all patrons and is available on a first come, first served basis. No more than three people may use the room at a time. Inappropriate behavior may result in the loss of the use of the room. Patrons wanting to use a Study Room must sign up at the Reference Desk.

The Study Room may be used for a maximum of two hours. If a user leaves the room for more than 15 minutes, the room will be considered vacant. All personal belongings will be removed, and the room will be available for use by another patron.

Personal laptop computers may be used.

Patrons using the Study Room must register by signing up at the Reference Desk. If a room suffers damage, the patron will be billed for necessary repairs and will be denied future use of the study room. Library staff will monitor activities and noise level as the room is not soundproof. Misuse of the Study Room could result in the patron being asked to leave the Library and possible denial of future use of the Study Room.

Note that the Study Room policy may change at any time in accordance with health recommendations.

4050 Tutoring Policy

The Board of Trustees recognizes the benefit to the students and parents of the community for tutoring to be allowed in the Library. The following guidelines are intended to provide a balance between the use of the Library by tutors and their students, and the use of the Library by other members of the community.

1. Tutors working with adults and teens may use the tables in the Library. The Mello Program Room may be used if not being used for a program. The Quiet Study Room is available on a first come, first served basis.
2. Tutors working with children may use the tables in the Children's Room unless a program prevents this.
3. Tutors and their students are expected to be respectful of others using the Library and to keep their voices low.

Tutors and their clients are to keep in mind that tutoring in the Library is a privilege granted by the Library as part of its service to the community, and will be supported so long as it does not interfere with the use of the Library by other community members.

4060 Emergency Evacuation Policy

In case of an emergency, the library staff will ensure the orderly evacuation of the Library. The Library Director or designee will call the police and/or fire departments and follow their instructions. All staff and library users will congregate at the Blue Star Memorial on the grounds of the Library and a count of all known occupants of the building will be taken. A staff member will complete an Incident/Complaint Report Form after the facility is deemed safe to reenter.

4070 Internet/Computer Use Policy

The Library provides Internet access via the OSL consortium. The consortium uses federally mandated filtering software that can only be unblocked for those over age 18.

Users should be aware that the Internet is not a secure medium and that third parties may be able to obtain information regarding users' activities. However, the Portsmouth Free Public Library will not release information on the use of specific Internet resources by members of the public except as required by law or necessary for the proper operation of the Library.

Staff will assist computer users in best practices in Internet use when asked including:

1. use of reliable web resources
2. best practices for user safety

Unlawful activity by computer users will be reported to the appropriate authorities. Patrons who see inappropriate behavior by computer users should report it to a staff member for further action.

Violations may result in loss of access. Unlawful activities will be dealt with in an appropriate manner.

The Library's Internet/Computer Use Policy is in place to provide fair, safe, and equitable access to public access computers. As such, the following rules must be observed:

1. Computers may be used by library patrons age 10 and over. Children younger than 10 must be supervised by an adult.
2. A maximum of 2 users per workstation is allowed.
3. Users should report any problems with the hardware or software to a Library staff member immediately.
4. Users may continue to remain at a workstation for 2 hours at a time but may remain on the computer until another user signs up.
5. Workstations may be used on a drop-in basis.

6. Library staff will try to assist users if possible but their availability is limited.
7. Users are responsible for bringing in their own storage media for saving their files or may purchase storage media at the Circulation Desk or Reference Desk. In addition, headphones may be purchased at the Circulation Desk
8. Printing costs are payable via cash at the public access multifunction printer.
9. Misuse or abuse of the computer workstation will result in suspension of the user's computer access privileges.

4080 Library Web Site Policy

The Portsmouth Free Public Library's web site supports the Library's mission. Primarily the Library's web site will assure equitable, unbiased access for the Portsmouth Free Public Library community to the Library's collections and services; and allows Library staff to provide expert guidance to researchers in the identification, interpretation, and use of library materials and information.

The Library web site content is updated regularly by staff members from all core (i.e., adult, young adult, children) Library departments. The objectives of the web site include providing access to the Library catalog, research resources, Library services and other information.

4090 Sunday Opening

The Library Board of Trustees makes a determination to continue Sunday openings dependent upon funding.

4100 Viewing Pornography on Library Computers

Portsmouth Free Public Library complies with Children's Internet Protection Act (CIPA) in order to be eligible to receive federal funding or discounts through the Library Services and Technology Act, Title III of the Elementary and Secondary Education Act, and the Universal Service discount program (E-rate), or to comply with state filtering requirements that may also be tied to state funding.

According to Rhode Island law, the creation, reproduction, dissemination, or possession of child pornography is a criminal matter. If persons are caught engaging in such behavior in the Library, Portsmouth Police will immediately be summoned.

CIPA specifically requires public libraries seeking e-rate discounts for internet connections to install technology protection measures, i.e., content filters, to block two categories of visual images that are unprotected by the First Amendment: obscene images and images of child pornography. These are categories of images the Supreme Court has consistently ruled outside the constitutional protection of the First Amendment.

Complaints about the viewing of pornography by a patron should be directed to a staff member. In all of the following instances, an incident report should be written by the staff person to document the conversation.

1. The patron will be notified verbally of our policy regarding the viewing of pornography in the Library and asked to close out the website and leave the Library.
2. Should the patron return at a later date and repeat the viewing of pornographic material, a letter stating the Library policy regarding inappropriate computer use will be issued from the Library Director. A copy of this letter will be kept on file.
3. Should the patron return a third time and repeat the offense, the Portsmouth Police Department will be notified and a No Trespass Order will be issued to the patron.

4110 Statement of Confidentiality

The Portsmouth Free Public Library recognizes its circulation records, and other records identifying the names of library users with specific materials, to be confidential. The Library's circulation system will be administered so as to protect the privacy of patrons, and to comply with R. I. Statutes.

All Library staff is instructed that such records shall not be made available to any individual or any agency of state, federal or local government. Requests for information relating to circulation records from individual or agencies should be referred immediately to the Library Director, or in their absence, to the President of the Library Board of Trustees. The matter may be referred to the Library's attorney.

4120 Library Card Policy

Any person who lives in or pays property taxes in Rhode Island or who is currently employed by OSL or by an OSL member library is eligible to receive an OSL library card from the public library of their choice free of charge. The applicant must show a current (i.e., not expired) proof of identity showing their name and photo. Only one card is allowed per eligible borrower and it is non-transferable.

Non-resident Local Use Only Cards are issued at the sole discretion and policy of the issuing library. The Local Use Only Card may be used to borrow materials from the issuing library only and may not be used to place holds from other OSL libraries. Local Use Only Cards do not allow the borrower access to the OSL digital eZone site.

Nonresident applicants/cardholders who live out of state may purchase a library card that grants access to most library services. The fee for the card is set annually and is based upon the average cost of library services to OSL cardholders.

Students ages 13 to 17 may provide proof of their enrollment in a public or private school in Rhode Island (class schedule, transcript, report card, etc.) in lieu of a photo ID if they do not otherwise have one. Proof of home address must still be provided if not stated on school enrollment documents.

Minors ages 13-17 may also have their application signed by their parent or guardian, who may provide identification/address validation on the minor's behalf. Both the parent or guardian and the minor should be present to apply for a library card.

Children aged 0-12 must have their application signed by a parent or guardian, who may provide the identification/address validation on their child's behalf. Both a parent or guardian and the child should be present to apply for a library card.

The parent/guardian is responsible for the lost or damaged materials borrowed by their child.

The complete OSL Library Card Policy is kept at the circulation desk.

4130 Access to Library Programs

The Portsmouth Free Public Library shall not discriminate in admissions, treatment or access to library programs, activities and facilities on the basis of race, religion, national origin, sexual orientation, or because of disabilities, however, the number of attendees at a program may be limited by the type of program, presenter request, or the size of the room. At the discretion of the staff or presenter, a person may be denied access due to audience suitability.

4140 Portsmouth History Center Research Policy

The Portsmouth History Center is an area in Portsmouth Free Public Library that is designated for local history and genealogy research. This area is located near the local history collections and contains a computer dedicated for this research. Patrons needing access to the materials in the locked cabinets may inquire at the reference desk. Materials from this collection are considered irreplaceable and are, therefore, for reference use only and may not leave the Portsmouth History Center study area.

4150 Unattended Children Policy

Parents may not leave children under the age of twelve years unattended in the Library and are responsible for their children's behavior while in the Library. If a child is left unattended in the Library, the staff will attempt to locate the child's parents. The Portsmouth Free Public Library assumes no responsibility for children left unattended at the Library after closing. However, for the safety of the child, the staff will not leave a child under the age of twelve alone to wait for a ride. If a parent or caregiver does not arrive within ten minutes of Library closing, at least two staff members will wait with the child and will attempt to telephone a parent or adult caregiver. If the staff is unsuccessful, or if an adult does not arrive within 30 minutes of Library closing, the police will be summoned to assist the child. A record will be maintained of all violations of this policy.

4160 Exhibit Policy

Individuals and organizations shall be invited to provide temporary exhibits of art, crafts, collectibles or books for the Library's exhibit cases and for display in the Program Room.

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The Library reserves the right to screen potential exhibits for type, suitability, quality and space requirements. The planning, scheduling and screening for exhibits is the responsibility of the Library Director.

The Library is not responsible for loss, theft or damage to exhibit materials while on the premises. Exhibitors are required to sign a release form. No tape, nails, tacks, or other adhesives may be used on the Program Room walls or on the back of the display case. Only the Walker Display System provided by the Library may be used to hang exhibits.

No direct sales of exhibit materials are allowed; no money may be collected on the premises. Selling prices may not be affixed to art or other objects on display, but exhibitors may leave a price list along with contact information for individuals interested in purchasing materials off site.

Openings may be held in the exhibit area at the discretion of the Library Director. There shall be no charge to the exhibitor or to the public for any exhibit. Refreshments may be served and exhibitors are required to clean up after the event.

4170 Gifts to the Library

The Library Director will review all offers before accepting them. Only items that will be of value to the Library and its resources will be accepted. Gifts of money, real property and/or stock are accepted if conditions attached thereto are acceptable to the Board of Trustees. Items and collections that are accepted may require a Deed of Gift.

A Deed of Gift is a formal, legal, agreement that transfers ownership of, and legal rights in, the materials to be donated. Executing a deed is in the best interests of both donor and the Library. After discussion and review of the various elements of the deed, it is signed by both the donor or donor's authorized agent, and an authorized representative of the Library. The signed deed of gift establishes and governs the legal relationship between donor and Library and the legal status of the materials.

Books and other materials are accepted on the condition that the Library Director has the authority to make whatever disposition he/she deems appropriate.

The Library will not undertake to evaluate the worth of gift books for tax purposes, but suggests that contact be made with an experienced and reputable book dealer.

4180 Piano Use Policy

The following rules govern the use of the electronic piano:

1. Patrons wanting to use the piano must schedule the Program Room in advance according to the Library's meeting room policy.

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2. Patrons are liable for damage caused through careless or malicious use of the piano. The cost of the damage will be determined by the Library Director.
3. The piano is not available for practice by the general public.
4. No food or drinks will be used in the vicinity of the piano. No cups, glasses etc., will be placed on the piano at any time. Lessees will be responsible for damage incurred to the piano or the bench beyond natural wear and tear.
5. The piano is not available for rehearsals, private or social functions (e.g., birthdays or weddings), religious functions, commercial enterprises, or programs promoting or publicizing for profit services such as piano lessons.

4190 Laptop Loan Policy

The following rules govern the use of Library owned laptops:

1. The user must be 14 years of age or older.
2. Patrons must sign a laptop loan agreement form.
3. Laptops are for use within the library only and cannot be removed from the facility.
4. Laptops may not be available if in use for a scheduled program.
5. The staff will assist with basic computer usage questions but are not available on a regular basis for extensive training of users. Patrons may “Rent-a-Librarian” if they have specific usage questions in mind, otherwise, users are expected to have a working knowledge of the computers and programs.
6. Users must notify a staff member when they are finished using a laptop and sign the sign-out sheet.
7. All laptops must be returned to the reference or circulation desk 15 minutes before closing.
8. The patron who borrowed the laptop will be responsible for any loss or damage of the laptop during their session. The patron will be liable for any costs due to damage or loss of the laptop up to and including the replacement cost of the laptop.

4200 Policy for Public Behavior

The Board of Trustees of the Portsmouth Free Public Library is responsible for determining the rules for public behavior in the Library. In order to maintain an atmosphere appropriate for work, study and enjoyment for all Library users and staff, the following policy on behavior in the Library and on Library property has been established. This policy will be courteously, but firmly, enforced by the Library staff. This policy:

- protects the rights of individuals to use Library materials and services;
- protects the rights of Library employees and volunteers to conduct Library business without interference;
- ensures the use of the buildings, materials, and services by the greatest number of individuals;
- preserves those materials and facilities from harm;
- ensures the safety of library patrons, employees, and volunteers.

In the event of a behavior problem of a patron at the Library, staff members should follow a series of steps to identify, document, and resolve the issue. A "behavior problem" at the Library is any one or more of the following:

1. Any loud, rude, or vulgar talk
2. Any conversation that is disturbing to other Library patrons or employees
3. Any physical action of one person to another such as touching, pushing, shoving or hitting
4. Any aggressive, threatening or harassing speech or action of one person to another
5. Any action of one person to another such as photographing or filming a patron or staff member without their consent
6. Any viewing on computers or laptops that is considered pornographic
7. Any behavior that is or could be harmful to Library property
8. Exhibiting a level of personal hygiene that interferes with the ability of other patrons and/or staff to use, work in, or enjoy the Library
9. Entering a "staff only" area of the Library

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If a staff member observes a behavior problem or receives a Library patron's complaint about such a problem, the staff member must speak to the library user causing the problem and politely ask that the unacceptable behavior cease or the offender will be asked to leave the library. Very often this is enough to terminate the problem behavior. The staff must keep a record of such incidents.

Failing to comply with a reasonable staff request to cease behavior that interferes with the effective functioning of the Library and the use of the Library by others, could result in the staff member calling the police to remove the troublesome patron.

Any staff member involved in such an incident must fill out an Incident/Complaint Report Form located on all Circulation Desk computer desktops. Any library patron involved in the incident must be asked to fill out a form also if they are willing to do so. The forms must be given to the Library Director as soon as possible.

If the disruptive behavior reoccurs, the Library will file a complaint with the Portsmouth Police Department and request a no trespass order from the department to prevent the patron from entering the Library property for one year. The incident must be documented as above with Incident/Complaint Report Forms being filled out by all the parties involved. If the incident involves disruptive behavior of a minor, the parents/guardians of the patron must be informed of this action in a letter from the Library Director.

5000 MATERIALS SELECTION POLICIES

The object of selection is to collect books and other materials that will inform, entertain, and contribute to the enrichment of the user. Each type of material must be considered in terms of its own merit and the audience for whom it is intended. While some material may be evaluated in terms of artistic merit, scholarship or value as human documents, others are selected to meet the recreational and entertainment needs of the community.

The Portsmouth Free Public Library provides free service to all individuals and groups in the community. The general library objective of Portsmouth Free Public Library is stated in the By-laws:

“The Purpose and aim of the Portsmouth Free Public Library shall be to furnish the best kind of reading matter freely to the people of said Town, and especially to encourage a love of literature in the youth of the community.”

Today it is recognized that to meet the cultural, educational, recreational and informational needs of the community the resources of the Portsmouth Free Public Library must include print and non-print materials.

5010 Responsibility for Selection

Ultimate responsibility for materials rests with the Library Director, who operates within the framework of policies established by the Board of Trustees. The Children’s Librarian is responsible for the initial selection of juvenile material and the Reference/Young Adult librarian is responsible for reference and young adult material.

5020 Types of Material

Books are, and will continue to be the basic materials for the public library. In this rapidly changing world great amounts of information are being contained in other forms. The library is acquiring appropriate materials regardless of form, and integrating each into its total holdings.

5030 General Selection Policy

The object of selection is to collect those books and other library materials that will inform, entertain and contribute to the enrichment of the spirit. Each type of material must be considered in terms of its own merit and the audience for whom it is intended. While some material may be evaluated in terms of artistic merit, scholarship or their value as human documents, others are selected to meet the recreational and entertainment needs of the community.

The professional librarians select all library materials. As broad a sample as possible of competent reviewing media and basic lists of standard works are consulted as an aid to selection. Recommendations also are accepted for review from staff and patrons.

“Request for Reconsideration of Library Materials” forms (Appendix A) are available at the Circulation Desk. The Board of Trustees has adopted these forms which have been recommended by the Rhode Island Library Association for this procedure. Upon receipt of such a request, the library will review decisions regarding such specific material. The forms concerning censorship issues should be kept for three (3) years.

Basic to the Library Materials Selection Policy, the Library reaffirms its belief in the Library Bill of Rights, the Freedom to Read Statement, Freedom to View Statement, Intellectual Freedom Statement and the Free Access to Library’s for Minors (Appendix C).

To build a quality collection, objective guidelines are considered. All acquisitions purchased or donated, are evaluated in terms of the following standards:

1. Current usefulness or permanent value.
2. Authority and competence in presentation.
3. Importance as a record of the times.
4. Its function in broadening or balancing the existing collection.
5. Relative importance in comparison with other works on the subject.
6. High standards of quality in content, format and binding.

5040 The Use of the Library’s Materials

Library materials are not marked or identified to show approval or disapproval of the contents and no book or other item is sequestered.

The use of rare and scholarly items of great value is controlled to the extent required to preserve them from harm.

Responsibility for the reading of children rests with their parents and legal guardians. Selection of materials for the Library’s collections is not restricted by the possibility that children may obtain materials their parents consider inappropriate.

5050 The Scope of the Collection

The Library makes every effort to make its collection relevant to meet the multi-faceted needs in the community. Close cooperation with other libraries through inter-library loan will be developed and maintained to meet the highly specialized technical needs that are beyond the capability of this library.

The Library cooperates with school and academic libraries so that the services of these agencies may complement each other. The major function of the school and academic libraries is to furnish curriculum-related materials. The public library seeks

to provide a collection that is broad-based to meet the needs of all segments of the community.

The Library acknowledges a particular interest in local and state history and in the works of local authors.

5060 Maintaining the Collection

The same criteria will be used in weeding materials from the collection as are used in their acquisition. In order to maintain the collection in its most attractive and useful condition, the Library Director will use their judgment in removing from the collection materials that are no longer useful, or are not in a condition suitable for circulation. Materials no longer useful to the Library may be given to other libraries or sold for the benefit of the Library, disposed of, or recycled.

5070 Revision of Policy

This statement of policy will be revised as times and circumstances require.

6000 EMPLOYMENT POLICIES

6010 Job Application Policy

All applications are accepted and kept on file for a period of six months. Application forms are available and may be obtained at all times at the Library.

6020 Selection of Employees Policy

Selection of qualified staff is the heart of successful personnel administration. Adequate selection is dependent upon a thorough knowledge of the position to be filled, upon the abilities and qualities required of the person to effectively fill the position and upon knowledge of the condition of the labor market. Selection is based on a search to locate the persons who possess the abilities, knowledge and personal qualities which best meet the requirements of the position.

The Library recruits primarily at the entry level for each position, but it may actively seek applicants, both internally and externally, for vacant positions at all levels. Although the policy is to fill vacancies by promotion from within, it is always necessary to ensure that positions are filled with the best-qualified people available. The Library also seeks to encourage and develop promising non-professional assistants to direct them toward a professional career.

Selection of staff members is based solely on the requirements of the position, with due attention to educational and technical qualifications, as well as personality, intellectual ability, and general aptitude for the position involved. Purely personal considerations do not enter into the selection of staff member, nor is there discrimination or favoritism because of race, sex, marital status, political opinions, sexual orientation, or religious beliefs. Appointment of immediate members of the families of Board members or administrative officers is strictly avoided.

All applicants are expected to supply the information requested on the application form and to submit names of references who are familiar with their character and abilities. These records are carefully investigated to ensure that the candidate is qualified for the position. A personal interview is required and it is one of the most important aspects of the selection process. During the interview, the Library Director determines how well qualified the applicant is for the position in question, in regard to their ability to do the work at the time of appointment, how readily they can learn new duties, their attitude toward the position and their future relationship with co-workers. Secondly, the Library Director provides the applicant with information needed to assist in reaching a decision as to whether or not to accept the position.

In addition to the above requirements, U.S. law requires companies to employ only individuals who may legally work in the United States – either U.S. citizens, or foreign citizens who have the necessary authorization. The eligibility of prospective employees will be confirmed prior to hiring using the Federal E-Verify system.

Non-professional appointments are made by the Library Director in accordance with the stated powers vested in him/her. Professional appointments are made by the Board of Trustees. Notice of appointment is made in writing and specifically describes the position to which the person is appointed, including salary, benefits, working conditions and starting date.

Employment by Portsmouth Free Public Library is considered to be "at will." Both the employer and the employee are free to terminate employment at any time without further justification.

6030 Equal Employment Opportunity and Affirmative Action Policy

The Portsmouth Free Public Library is an Equal Opportunity Employer. The Library does not discriminate on the basis of race, religion, color, sex, age, national origin, sexual orientation or disability.

6040 Americans With Disabilities Act

The Library does not discriminate against qualified individuals with disabilities in job application procedures, hiring, firing, advancements, compensation, job training, and other terms, conditions, and privileges of employment. The Library abides by all Laws and Regulations on ADA.

6050 Sexual Harassment

The Library will not tolerate sexual harassment of any staff member or patron of the Library. Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when such conduct has the purpose or effect of interfering with the individual's work or educational performance, or of creating an intimidating, hostile, or offensive working and/or learning environment.

Conduct that constitutes sexual harassment includes, but is not limited to, the inappropriate display of sexually explicit pictures, text, printed materials, or objects that do not serve an academic purpose.

Persons whose conduct may constitute sexual harassment will be asked to modify their conduct or leave the Library. If they persist in inappropriate behavior or refuse to leave, the Police will be summoned.

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Complaints about sexual harassment by a patron should be directed to a staff member.
Complaints about sexual harassment by an employee should be directed to their supervisor.
Complaints about sexual harassment by the Library Director should be directed to the Library Board of Trustees.

7000 PERSONNEL POLICIES

7010 Evaluation Policy

All employees will be evaluated on an annual basis using the approved procedures.

7020 General Personnel Policies

Professional positions are filled with personnel who have received a Master of Library Science degree (MLS) or Master of Library and Information Science (MLIS) from an accredited institution or who are in the process of attaining such a degree. In a few exceptional cases, unusual subject, language or bibliographical specialization, combined with appropriate library experience, may be substituted or equate with the MLS/MLIS degree at the discretion of the Board of Trustees.

Support staff positions do not require a professional degree in order to qualify. Detailed requirements for various support staff positions may be found in the individual job descriptions in the *Personnel Manual of Portsmouth Free Public Library*.

The *Personnel Manual of Portsmouth Free Public Library* has full descriptions for each position which include a statement of basic functions, scope, duties, responsibilities, organizational relationships, authority limits, and criteria for performance evaluation.

APPENDIX A. Request for Reconsideration of Library Materials

The Board of Trustees of the Portsmouth Free Public Library have established a materials selection policy and a procedure for gathering input about particular items. Completion of this form is the first step in that procedure. If you wish to request reconsideration of a resource, you must respond fully and completely to the following questions:

Your Name: _____

Telephone: _____

Email: _____

Address _____

City, State: _____

Today's Date: _____

Do you represent yourself? _____ Or an organization? _____

Name of Organization: _____

1. Resource on which you are commenting:

Title: _____

Type of Material: _____

Author: _____

Copyright Date: _____

2. Did you read or view the material in its entirety? Yes _____ No _____

If not, your challenge will be dismissed; consequently you may want to delay completing this form until you have read/viewed the material in its entirety. If you have read or viewed it, please summarize it.

3. What brought this resource to your attention?

4. Explain the purpose of this material as you understand it.

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5. What concerns you about the resource? Please cite page numbers or location and specific information in the material to support your objections.

6. How has this material been assessed by professional book reviewers? Please identify the names or sources of the reviewers you identify.

7. How do you perceive patrons would be affected by this material?

8. In its place, what material of equal quality would you recommend?

9. What action are you requesting the library consider?

Signature:

Date:

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Please note: Items will remain in the collection and in circulation until the Reconsideration Process has concluded. If an item has gone through the Reconsideration Process, it cannot be re-evaluated for a period of three years.

APPENDIX B. Damaged Materials Fees

If an item is returned to the Library with any of the following damages, the appropriate amount will be charged to the patron:

- Missing barcode - \$1.00
- Damaged binding or cover - \$3.00
- Water damage (without mold) - \$2.00
- Water damage (with mold) – replacement cost
- Other beverage – replacement cost
- Missing pages – replacement cost
- Crayon or ink – replacement cost
- Pencil marks - \$2.00
- Dog-eared pages - \$1.00
- Scratched DVD/Blu-ray – replacement cost

These fees will be reviewed annually and revised as necessary.

APPENDIX C. American Library Association Statements

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.

VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

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

Inclusion of "age" reaffirmed January 23, 1996.

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Freedom to Read

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

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

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

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

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

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

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

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and

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values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

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

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

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

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Freedom to View Statement

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

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's *Library Bill of Rights*. The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the *Library Bill of Rights* states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The right to use a library includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This includes minors who do not have a parent or guardian available to sign a library card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats.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 Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected.

Article VII of the *Library Bill of Rights* states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.³

The mission, goals, and objectives of libraries cannot authorize libraries and their governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."⁴ Libraries and their governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only 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 own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service

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applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

¹ *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011).

² *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).

³ "[Privacy: An Interpretation of the Library Bill of Rights](#)," adopted June 19, 2002, by the ALA Council; amended July 1, 2014; and June 24, 2019.

⁴ "[Libraries: An American Value](#)," adopted on February 3, 1999, by ALA Council.

⁵ "[Rating Systems: An Interpretation of the Library Bill of Rights](#)," adopted on June 30, 2015, by ALA Council; amended June 25, 2019.

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"; July 1, 2014; and June 25, 2019.