

Collection Development Policy
Caldwell-Lake George Library (public association library)

Town and Village of Lake George, New York

May 11, 2022

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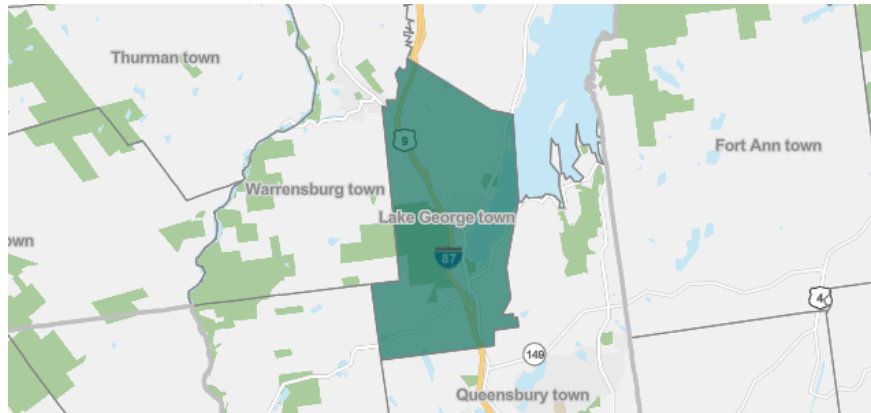
General Collection Development Guidelines (Guiding Principles)

The materials in the Caldwell-Lake George Library, a member of the Southern Adirondack Library System (SALS), collection are selected and maintained with the intention of meeting as many cultural, informative, educational, and recreational needs of the community within the Library's service area as possible. These guiding principles establish the framework for the development of a patron-oriented collection at the Library (American Library Association, 2017):

- We are dedicated to accessibility and removing barriers through the contents and formats of our collection. This means developing a collection that includes a variety of formats that make accessing information possible for all.
- We are dedicated to embracing diversity, equity, and inclusion through representation of our greater, global community in the content of our collection.
- Libraries have a responsibility to be committed to fostering lifelong learning in their communities, and our collection must reflect this.
- The way we access information in our current day includes a balance of physical and digital resources. We are dedicated to providing a wide array of types of materials (both physical and digital) to increase the usability and accessibility of our collections for all people for years to come.

Community Profile

Library Service Area



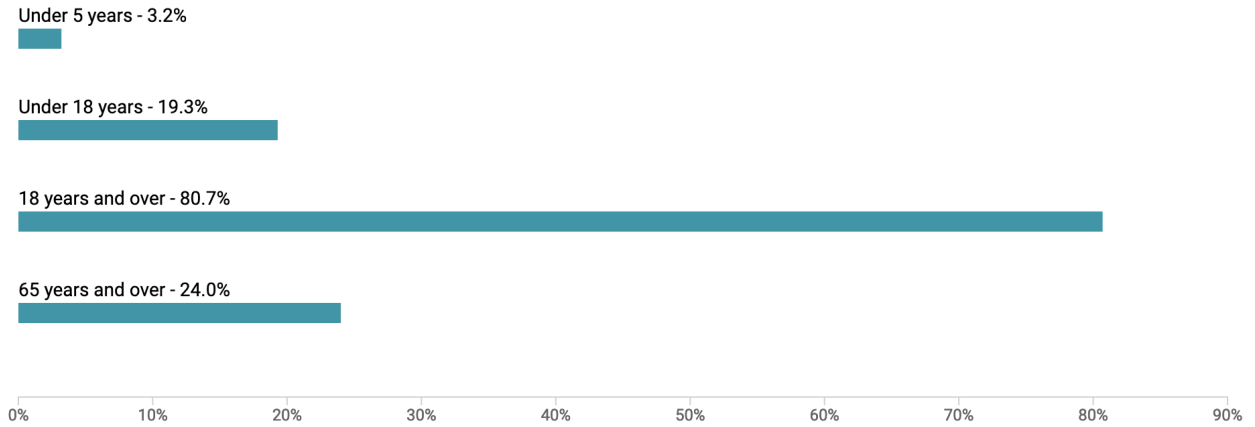
Above is a map of the Town of Lake George, Warren County, New York, which is the Library's service area. Lake George has a land area of 29.7 square miles (United States Census Bureau, 2021).

Demographic Data

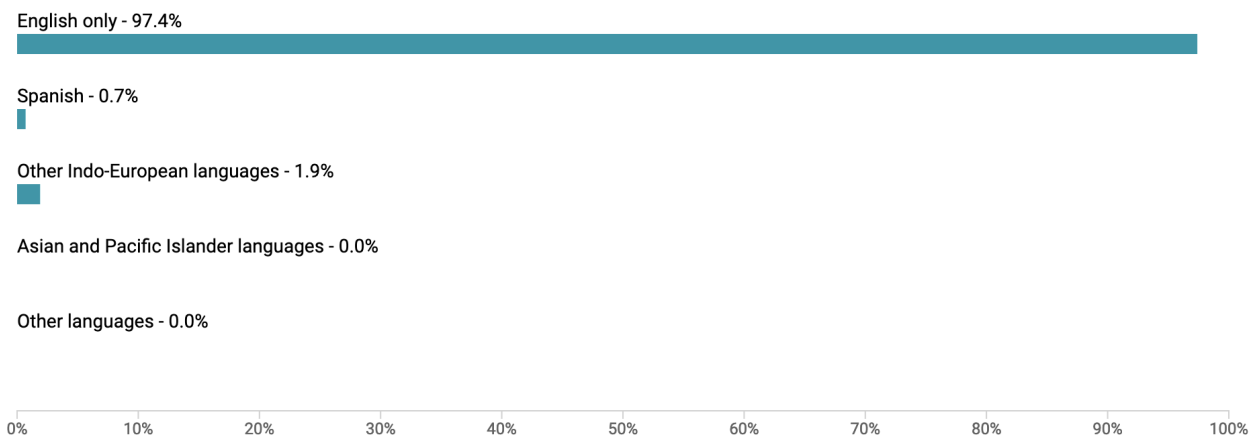
According to the 2020 Census (United States Census Bureau, 2021), the total population of the Town of Lake George is made up of 3,502 individuals. Lake George is a popular tourist destination, however, and the Library additionally serves many of the approximate six million visitors (McFadden, 2021) the area sees annually. While the exact demographic data for this visiting population is unknown and highly variable from year to year, it is assumed to be significantly more diverse than the resident's demographic data. Lake George's demographic data are certainly very unique, combining a small, rural population with a global population that increases dramatically all summer. The Library seeks to provide equitable access to information for all of these users through its collection. Please see the charts below which indicate relevant demographic data for Lake George from the most recent census (United States Census Bureau, 2021). For a full list of all demographic data from the most recent census, please visit the link included in the reference section of this document.

Populations and People

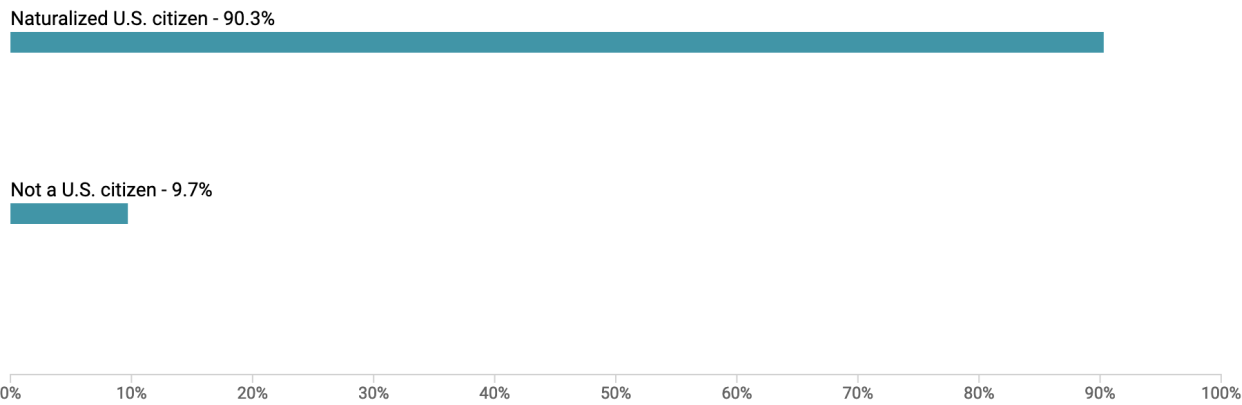
Population by Age Range in Lake George town, Warren County, New York



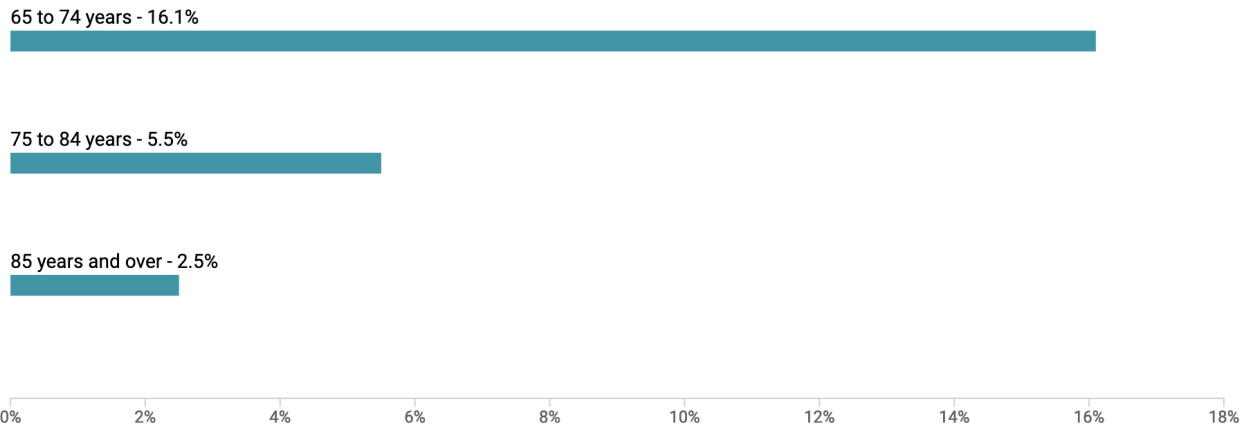
Types of Language Spoken at Home in Lake George town, Warren County, New York



Foreign Born Population in Lake George town, Warren County, New York

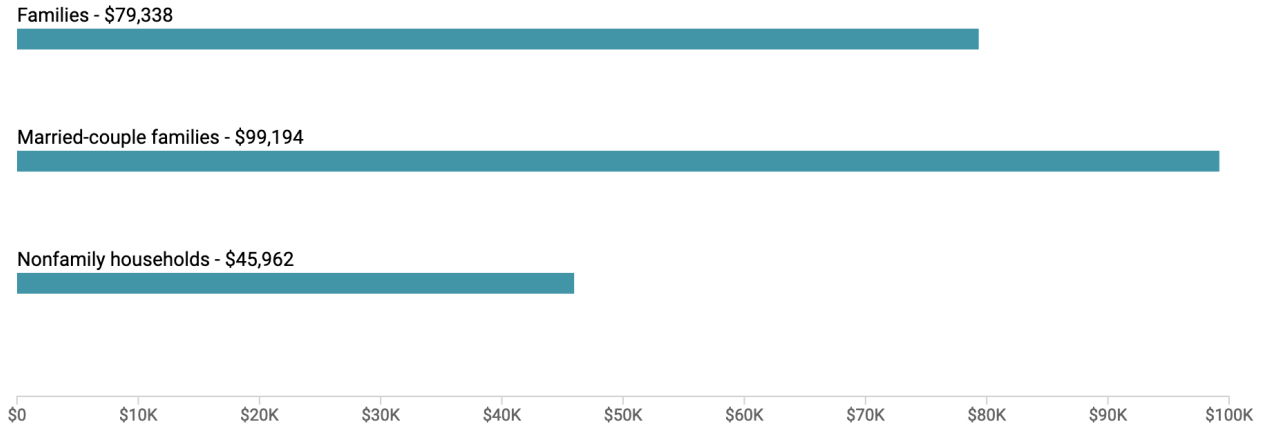


Older Population by Age in Lake George town, Warren County, New York

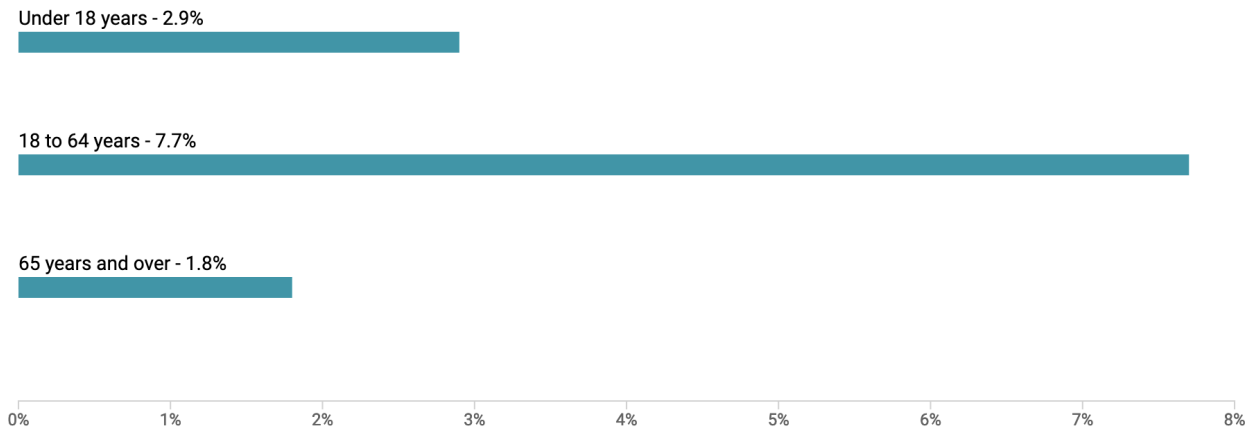


Income and Poverty

Median Income by Types of Families in Lake George town, Warren County, New York

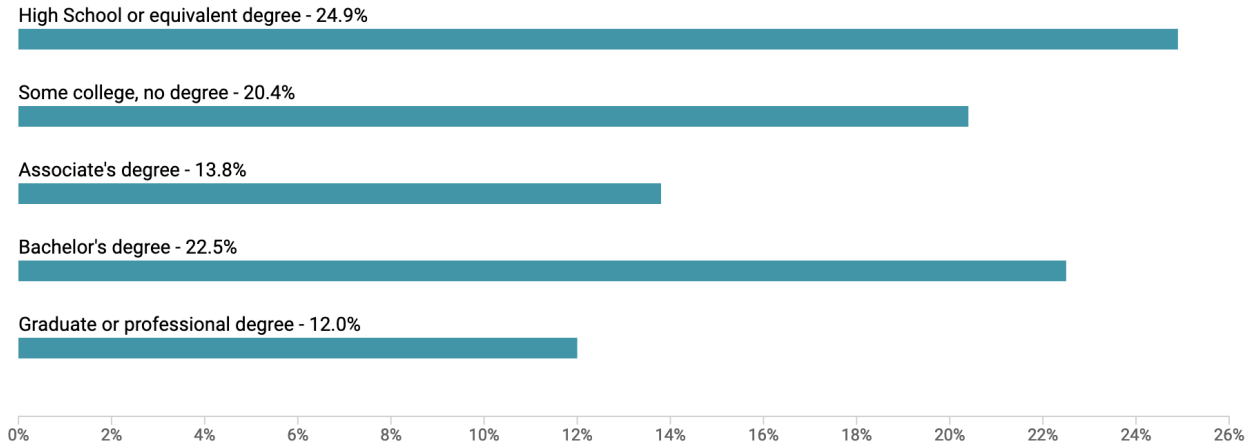


Poverty by Age in Lake George town, Warren County, New York



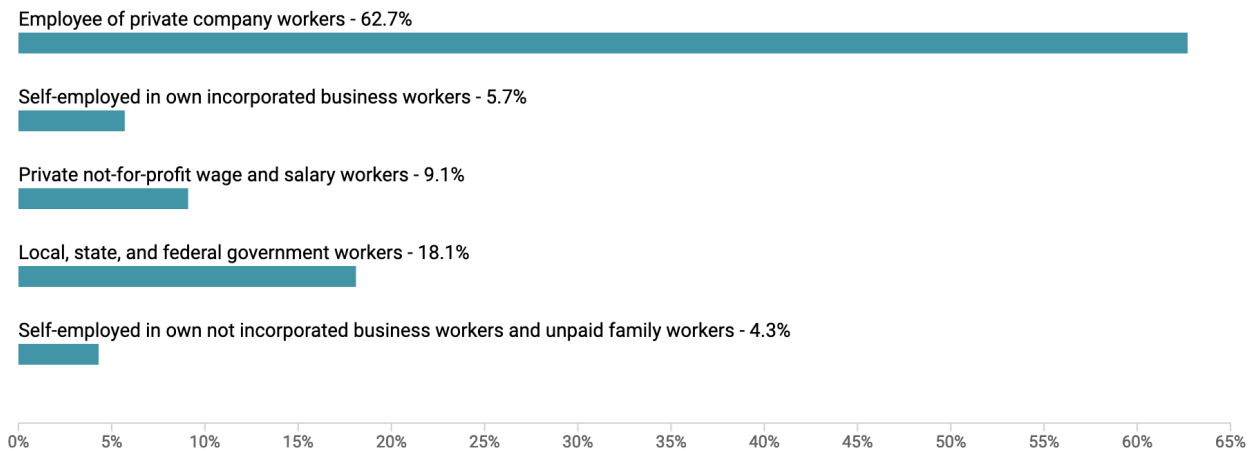
Education

Education Attainment (Population 25 Years and Older) in Lake George town, Warren County, New Y...

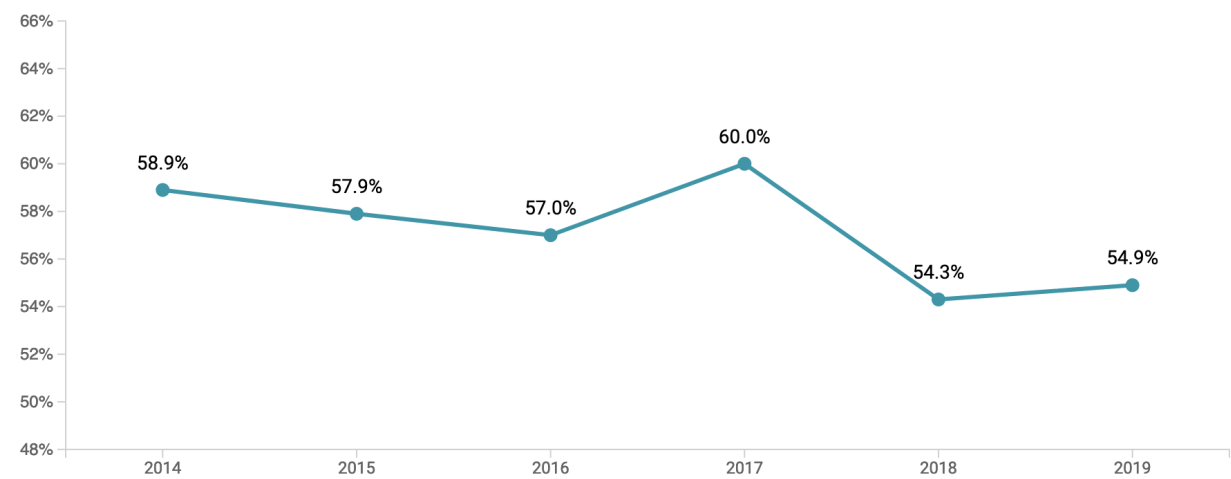


Employment

Class of Worker in Lake George town, Warren County, New York



Employment Rate in Lake George town, Warren County, New York



Industry for the Civilian Employed Population 16 Years and Over in Lake George town, Warren Cou...

Agriculture, Forestry, Fishing and Hunting, and Mining - 0.0%

Construction - 5.5%

Manufacturing - 2.0%

Wholesale Trade - 3.3%

Retail Trade - 16.7%

Transportation and warehousing, and utilities - 1.3%

Information - 0.2%

Finance and insurance, and real estate and rental and leasing - 3.2%

Professional, scientific, and management, and administrative and waste management services - 12.8%

Educational services, and health care and social assistance - 20.6%

Arts, entertainment, and recreation, and accommodation and food services - 17.8%

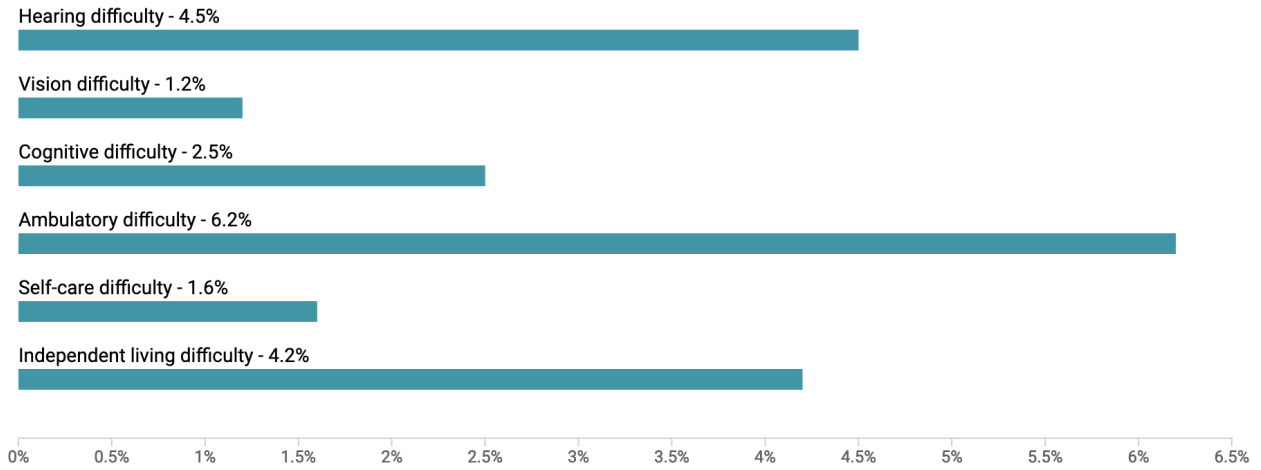
Other services, except public administration - 5.9%

Public administration - 10.6%



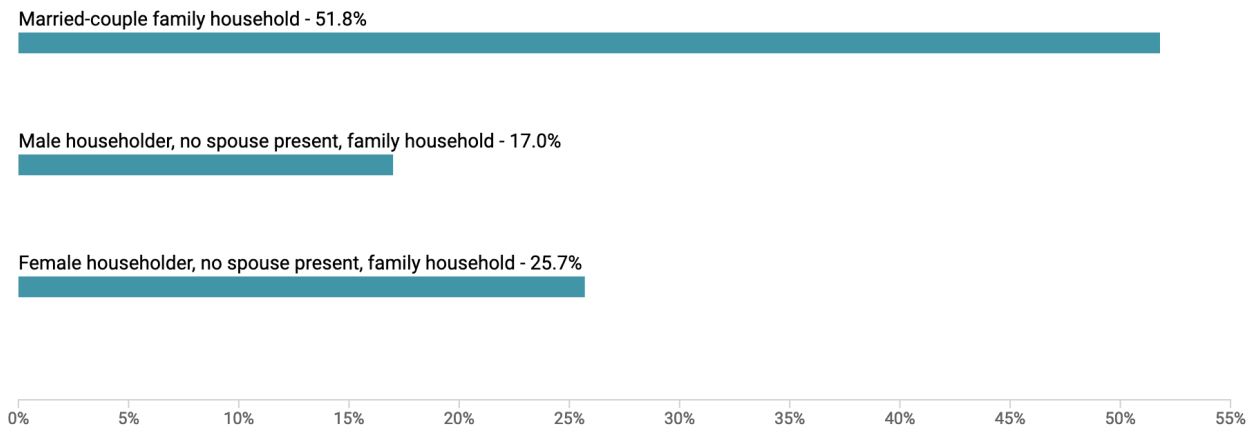
Health

Types of Disabilities in Lake George town, Warren County, New York



Families and Living Arrangements

Total Households by Type of Households in Lake George town, Warren County, New York



Race and Ethnicity

American Indian and Alaska Native

6

American Indian and Alaska Native alone in Lake George town, Warren County, New York

170

American Indian and Alaska Native alone in Warren County, New York

Asian

41

Asian alone in Lake George town, Warren County, New York

753

Asian alone in Warren County, New York

Black or African American

30

Black or African American alone in Lake George town, Warren County, New York

799

Black or African American alone in Warren County, New York

Hispanic or Latino

100

Hispanic or Latino (of any race) in Lake George town, Warren County, New York

1,752

Hispanic or Latino (of any race) in Warren County, New York

Native Hawaiian and Pacific Islander

0

Native Hawaiian and Other Pacific Islander alone in Lake George town, Warren County, New York

1

Native Hawaiian and Other Pacific Islander alone in Warren County, New York

Not Hispanic or Latino

3,187

White alone, not Hispanic or Latino in Lake George town, Warren County, New York

59,299

White alone, not Hispanic or Latino in Warren County, New York

Some Other Race

32

Some Other Race alone in Lake George town, Warren County, New York

497

Some Other Race alone in Warren County, New York

Two or More Races

163

Two or More Races in Lake George town, Warren County, New York

3,606

Two or More Races in Warren County, New York

White

3,230

White alone in Lake George town, Warren County, New York

59,911

White alone in Warren County, New York

Scope of the Collection

The Library strives to develop and maintain an evolving collection that prioritizes representing the populous of our Service Area. To do this, the Library focuses on creating equitable access to resources for people of all abilities, celebrating the diversity of our local and global communities, acting as a steward of the materials that tell the storied history of our local area, providing a space to pursue lifelong learning, and fulfilling the information needs of everyone in the Lake George community.

According to the Director's 2020 Annual Report to New York State, the Library currently owns 28,970 items between its physical and digital item holdings.

In 2020, an informal evaluation of the physical collection found that:

- 45% is adult fiction (with approximately 10% manifesting as Large Print books and 5% manifesting as audiobooks on CD).
- 20% non-fiction print books.
- 20% juvenile print books.
- 10% young adult print books.
- 5% movies and TV shows on DVD.
- The Library also subscribes to fewer than five local periodicals and obtains memberships to fewer than five area museums, which would both account for less than 1% of the physical holdings.

The Library also houses a small archival collection of historical book holdings, which are not added to, do not circulate, and are currently not available for public use as of February 2022.

The Library maintains a very small, infrequently used reference section for which it no longer budgets and does not intend to grow. Additionally, the Library no longer orders juvenile audiobooks on CD, instead relying on streaming usage through Libby (a service available through Southern Adirondack Library On-Demand or SALON) where the library's digital holdings mostly are located. The Library pays for usage of the Libby service through SALS and Crandall Library, the central library, and does not assist in the development or stewardship of the Libby holdings.

Selection Guidelines

The Library shares a collection with all member libraries in the Southern Adirondack Library System (SALS)/Mohawk Valley Library System (MVLS) through system-wide inter-library loan (ILL). The following selection criteria are intended to support a diverse, inclusive library collection. All materials, whether purchased or donated, are subject to the following criteria. A title need not meet every criteria below to be considered for selection:

- Current and anticipated needs and interests of the community
- Diversity of viewpoint
- Community relevance
- Enduring value
- Level of demand
- Evaluations in review media
- Timeliness and accuracy of content
- Composition of current collection
- Qualifications/reputation of author, artist, or publisher
- Quality of the production
- Format and ease of use
- Space and budget limitations
- Availability of title at other libraries in the Southern Adirondack and Mohawk Valley library systems

The Library welcomes recommendations for material acquisitions from the public. Serious consideration will be given to those items that align with the Library's overall collection guidelines and objectives.

The Library neither encourages nor discourages any particular viewpoint, and selection of materials for the collection does not mean the library endorses the views or content expressed in those materials. Individual items that may be offensive or controversial to some patrons may be selected regardless if their inclusion contributes to the balance and inclusiveness of the collection as a whole. No material will be excluded based on the race, nationality, gender, sexual orientation, religion, or political or social views of the content or author.

Selection Guidelines for E-Resources

The Southern Adirondack Libraries ON demand (SALON) facilitates the interest, information, and enlightenment of all the people residing in Hamilton, Saratoga, Warren and Washington counties by providing an online collection of electronic content. Their own staff moderate the selection process for E-Resources. For their Collection Development Policy and Reconsideration of eContent Policy please visit the Southern Adirondack Library System (SALS) website's page for SALON Overdrive Policies, which can be found at the URL below.

<https://salsblog.sals.edu/about-us/policies/salon-overdrive-policies/>.

Format Considerations

The Library offers users access to materials in a variety of formats based on the needs and interests of our users. When determining the suitability of a material format, the Library considers the following criteria:

- Ease of accessibility
- Ability of library to support the format
- Size and storage options
- Suitability of format type and subject for users
- Present and future significance for users
- Portrayal of diverse perspectives

E-books and audiobooks are available through Southern Adirondack Library On-Demand (SALON). Other material formats currently supported and available at the Library include large-print books, Blu-Ray and regular DVDs, and audiobooks on CD.

Collections Budget Considerations

The Library's collections budget (Caldwell-Lake George Library, 2022) is provided by the Town of Lake George annually, and in 2022 allocated:

- \$650 towards ordering periodicals
- \$5,500 towards ordering print books
- \$750 towards ordering DVDs
- \$285 towards Electronic Materials
- \$800 towards Memberships

When developing the Library's collection, this budget should remain in consideration as should the Library's access to inter-library loan through SALS, the frequency of materials gifted/donated, and whether or not access should take precedence over ownership (as is the case with leasing materials or using open access materials) on certain occasions. Budget transparency is a critical component of this Collection Development Policy.

Responsibility for Collection Development

The responsibility for the collection rests with the Library Director. Library staff assist with the direct selection of materials based on their experience, training, expertise, and interest. Final decisions are made by the Library Director.

Gifts

The Library will gladly accept gifts of materials that meet our selection criteria. Due to space constraints, we are unable to accept all materials offered to us—particularly old magazines or textbooks. We reserve the right to deselect any gift in accordance with our Deselection Policy.

Deselection

Continuous evaluation of the Library's collection is necessary to ensure that the materials remain accessible and useful to the community. The Library bases its deselection decisions on the same guidelines used for selecting materials, in addition to the following factors:

- Age/physical condition of materials
- Enduring accessibility of format
- Number of additional copies of the title
- Factual inaccuracies

All materials chosen for deselection will be recycled, sold at a Friends of Lake George Library fundraising book sale, or donated to the public free of charge.

Impact of Any Collection Sharing Agreements

As a member of the Southern Adirondack Library System (SALS), the Library's collection sharing agreements allow our registered patrons to access the holdings of all 57 member libraries. Patrons can place interlibrary loan requests in person, over the phone, or using the Library's online catalog. Materials are subject to the loan periods, renewal limits, and fine structures of their home libraries, and these vary by branch. Each member library decides which materials are and are not available for inter-library loan and may deny requests for these items. Inter-library loan items may be returned to any SALS member library. All users are responsible for any items borrowed on their card.

Censorship, Intellectual Freedom, and Challenges to Materials in the Collection

The Library includes as a part of its statement on materials selection and collection development the American Library Association's "Library Bill of Rights," and these other statements regarding intellectual freedom:

- Freedom to Read Statement
- Freedom to View Statement
- Free Access to Libraries for Minors

The library rejects any censorship of materials in the collection, which meet the criteria of this statement. The Library will abide by the statements contained in its Censorship Policy. Objections to any item in the collection should be made in writing, and will be evaluated according to the Library's Reconsideration Policy.

Censorship Policy

1. Individuals may reject materials for themselves but may not restrict the freedom of others to read.
2. Whenever library material is challenged, it will be reexamined by the Library Director. If the material meets the criteria of the Collection Development Policy, it shall not be removed from the collection except by court order.
3. When materials are challenged library staff will:
 1. Treat complaints with dignity and courtesy.
 2. Provide a Request for Reconsideration of Library Materials form (to be acquired in-person) to obtain a formal complaint.
 3. Present the full facts to the Library Board of Trustees.
 4. Defend the principles of freedom to read and the professional responsibility of the library rather than the book.
 5. Complaints and/or objections to library materials will be considered in terms of the Library's materials selection policy, the principles of the Library Bill of Rights and the Freedom to Read Statement, and the opinions of the reviewing source(s) used in selection.
 6. If necessary seek the support of local press and the New York Library Association's Intellectual Freedom Committee.
4. The complaints, and/or objections, and response will be forwarded to the Library Director for review and relevant comments if received by a substitute in the Director's absence.
5. In the event that the person or group registering the objection is not satisfied, a direct meeting with the Library Director will be arranged.

Reconsideration Policy

The Library will re-evaluate the selection or placement of a specific item in its collection upon submission of a properly completed Request for Reconsideration of Library Materials form. These forms are available at the Circulation Desk. Forms will be accepted from adult cardholders who are residents of the Library's legal service area and who have read, viewed, or listened to the material in its entirety.

Forms must be completed in their entirety, including the date, and the cardholder's name, address, phone number, library card number, signature, and rationale for reconsideration and requested action.

The Director will make a decision regarding the item's disposition. This decision is final and binding. Material will remain in circulation during the reconsideration process.

Future requests for reevaluating the same item will be addressed only if the grounds for reconsideration are substantially different from previous requests.

Procedure:

1. Completed forms should be delivered, as appropriate, to the Director.
2. Within two weeks, the Director will make an initial assessment of the request and contact the cardholder in writing.
3. If the cardholder is not satisfied with the Director's assessment, they may appeal in writing to the Director within two weeks. In such cases, the Director will convene a committee of appropriate professional librarians to review the request.
4. The committee will consider the item's critical reception, demand by the public, and judge the overall merit of the item based on its entirety rather than individual parts, passages or excerpts, and prepare a report for the Director of its recommendation regarding the item's disposition.
5. Informed by the committee's recommendation, the Director will make a decision on the disposition of the item in question, and will inform the cardholder in writing within thirty days.

Appendix

Appendix 1: 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:

1. 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.
2. 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.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. 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.

Appendix 2: 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 books from sale, to censor textbooks, to label “controversial” books, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition or free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals.

We, as citizens devoted to the use of books and as librarians and publishers responsible for disseminating them, wish to assert the public interest in the preservation of the freedom to read.

We are deeply concerned about these attempts at suppression. Most such attempts rest on a denial of the fundamental premise of democracy: That the ordinary citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow-citizens.

We trust Americans to recognize propaganda, and to reject it. We do not believe they need the help of censors to assist them in this task. 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. We are aware, of course, that books are not alone in being subjected to efforts at suppression. We are aware that these efforts are related to a larger pattern of pressures being brought against education, the press, films, radio, and television. 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.

Such pressure toward conformity is perhaps natural to a time of uneasy change and pervading fear. Especially when so many of our apprehensions are directed against an ideology, the expression for a dissident idea becomes a thing feared in itself, and we tend to move against it as against a hostile deed, with suppression.

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 stress.

Now as always in our history, books are among our greatest instruments of freedom. They are almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. They are the natural medium for the idea and the untried voice from which come the original contributions to social growth. They are essential to the extended discussion which 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 towards 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.

The freedom to read is guaranteed by the Constitution. Those with faith in free men 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, which are unorthodox or unpopular with the majority. Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until the idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept, which 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 contained in the books 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 books 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 person can read should be confined to what another thinks proper.

3. It is contrary to the public interest for publishers or librarians to determine the acceptability of a book on the basis of the personal history or political affiliations of the author. A book should be judged as a book. 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 which 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 literature 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 taste differs, and taste cannot be legislated; nor can machinery be devised which 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 with any book the prejudgment of a label characterizing the book or author as subversive or dangerous. The idea of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that each individual must be directed in making up his or her mind about ideas examined. 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. 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 each individual is free to determine what 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.

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, Bookmen 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 expended on the trivial; it is frustrated when the reader cannot obtain matter fit for his or her 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 growth. The defense of their freedom and integrity, and the enlargement of their service to society, requires of all bookmen 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 books. We do so because we believe that they are good, 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 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.

Appendix 3: Freedom to View

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, we affirm these principles:

1. It is in the public interest to provide the broadest possible access to films and other audiovisual materials because they have proven to be among the most effective means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. It is in the public interest to provide for our audiences, films 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.
3. It is our professional responsibility to resist the constraint of labeling or prejudging a film on the basis of the moral, religious or political beliefs of the producer or filmmaker or on the basis of controversial content.
4. It is our professional responsibility to contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

Appendix 4: 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 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.

Appendix 5: First Amendment and Censorship

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” First Amendment of the U.S. Constitution passed by Congress September 25, 1789. Ratified December 15, 1791.

One of the ten amendments of the Bill of Rights, the First Amendment gives everyone residing in the United States the right to hear all sides of every issue and to make their own judgments about those issues without government interference or limitations. The First Amendment allows individuals to speak, publish, read and view what they wish, worship (or not worship) as they wish, associate with whomever they choose, and gather together to ask the government to make changes in the law or to correct the wrongs in society.

The right to speak and the right to publish under the First Amendment has been interpreted widely to protect individuals and society from government attempts to suppress ideas and information, and to forbid government censorship of books, magazines, and newspapers as well as art, film, music and materials on the internet. The Supreme Court and other courts have held conclusively that there is a First Amendment right to receive information as a corollary to the right to speak. Justice William Brennan elaborated on this point in 1965:

“The protection of the Bill of Rights goes beyond the specific guarantees to protect from Congressional abridgment those equally fundamental personal rights necessary to make the express guarantees fully meaningful. I think the right to receive publications is such a fundamental right. The dissemination of ideas can accomplish nothing if otherwise willing addressees are not free to receive and consider them. It would be a barren marketplace of ideas that had only sellers and no buyers.”
Lamont v. Postmaster General, 381 U.S. 301 (1965).

The Supreme Court reaffirmed that the right to receive information is a fundamental right protected under the U.S. Constitution when it considered whether a local school board violated the Constitution by removing books from a school library. In that decision, the Supreme Court held that “the right to receive ideas is a necessary

predicate to the recipient's meaningful exercise of his own rights of speech, press, and political freedom." *Board of Education v. Pico*, 457 U.S. 853 (1982)

The First Amendment only prevents government restrictions on speech. It does not prevent restrictions on speech imposed by private individuals or businesses. Facebook and other social media can regulate or restrict speech hosted on their platforms because they are private entities.

The First Amendment prevents public institutions from compromising individuals' First Amendment freedoms by establishing a framework that defines critical rights and responsibilities regarding free expression and the freedom of belief. The First Amendment protects the right to exercise those freedoms, and it advocates respect for the right of others to do the same. Rather than engaging in censorship and repression to advance one's values and beliefs, Supreme Court Justice Louis Brandeis counsels persons living in the United States to resolve their differences in values and belief by resort to "more speech, not enforced silence."

By virtue of the Fourteenth Amendment, the First Amendment's constitutional right of free speech and intellectual freedom also applies to state and local governments. Government agencies and government officials are forbidden from regulating or restricting speech or other expression based on its content or viewpoint. Criticism of the government, political dissatisfaction, and advocacy of unpopular ideas that people may find distasteful or against public policy are nearly always protected by the First Amendment. Only that expression that is shown to belong to a few narrow categories of speech is not protected by the First Amendment. The categories of unprotected speech include obscenity, child pornography, defamatory speech, false advertising, true threats, and fighting words. Deciding what is and is not protected speech is reserved to courts of law.

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