

# Intellectual Freedom and Statements of Concern

*Adopted August 17, 2023 by the LPL Board of Trustees.*

## **IFSOC 1 - Intellectual Freedom**

Every individual holds beliefs and values which may, at times, be in conflict with those of others. Freedom of speech, as provided for in the United States Constitution (*Appendix IFSOC-A*), is vital to maintaining a free society. Essential to this is the ability to see, hear, and express different ideas and viewpoints. To ensure intellectual freedom for our patrons, the Board and Library personnel uphold these rights and adhere to the American Library Association's Library Bill of Rights, interpretations of the Library Bill of Rights, and Freedom to Read Statement (*Appendix IFSOC-B*).

The presence of an item in the Library does not indicate an endorsement of its contents by the Board, Library personnel, or funding agencies.

## **IFSOC 2 - Statements of Concern**

The Library makes every effort to select materials that will appeal to the wide range of interests, points of view, reading, and viewing levels of those in the community. The Library also acknowledges that occasional objections to materials will be made despite the care taken and the procedures followed in materials selection.

Each Statement of Concern is taken seriously; the decision will be based solely upon whether the material, when considered in its entirety, is appropriately selected under the Collection Management Policy.

It is worth noting here that items may be offensive to some without running afoul of the Library's collection management policy or obscenity laws. More information about Montana's obscenity laws can be found in MCA 45-8-201. The Miller Test is also frequently used to define obscenity and is a useful resource.

Materials being reviewed will not be removed, relocated, or treated any differently than other items during the review process.

### **IFSOC 3 - Statement of Concern Procedure**

1. Citizens' concerns about materials in the Library shall be referred to the Library Director, who shall have a discussion with the citizen and provide additional information appropriate to their concerns.
2. If an informal resolution is not possible, the citizen shall be invited to complete and return a signed Statement of Concern Form (*Appendix IFSOC-C*).
  - a. The citizen must have a current LPL card in good status (i.e., no fines or fees) and have completed the 60-day probationary period for a new card.
  - b. Statements of Concern will only be considered for materials the Library directly owns.
  - c. Review will not occur if the material has been reviewed in the last three years.
  - d. Separate forms shall be completed for each item to be considered.
  - e. No action shall be taken unless a form is fully completed.
  - f. Statements of Concern will be considered one at a time in the order in which they are received.
3. Upon receipt of a completed Statement of Concern form, the Chair of the Board of Trustees shall appoint a Review Committee, if one is not currently standing, and shall appoint a committee chair. The Committee shall be appointed within 30 days of the first Board meeting following receipt of the Statement of Concern form.
4. The Review Committee shall consist of the following:
  - a. The Chair of the Board of Trustees
  - b. One other Trustee
  - c. The Library Director
  - d. One staff member
  - e. One community member
5. Each committee member must examine the material being reviewed in its entirety, the Collection Management Policy, and any other pertinent material which may aid in making a decision.
  - a. Passages or parts of the item in question should not be taken out of context; the item must be considered as a whole.
  - b. Each committee member shall consider the merits and the faults of the item in question based solely upon whether the material is appropriately selected under the Collection Management Policy.
6. The Committee Chair shall arrange a meeting of the committee members to discuss the concern(s). The committee shall submit a written report, including its recommendation in the form of a resolution, to the Library Board of Trustees. The citizen shall be provided with a copy of the report and resolution; the date the Board will act on the Committee's recommendation; and the guidelines for public participation in Board meetings.

7. The resolution will be on the agenda for the next regularly scheduled meeting at which the Board of Trustees shall vote to adopt or not to adopt the committee report. The Chair of the Board of Trustees shall inform the citizen in writing of the Board's decision.
8. The Board's decision is final.

## **Appendix IFSOC-A - First Amendment of the United States**

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.

## Appendix IFSOC-B - 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.*

*Although the Articles of the Library Bill of Rights are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as [Interpretations of the Library Bill of Rights](#).<sup>1</sup>*

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<sup>1</sup>"Interpretations of the Library Bill of Rights", American Library Association, July 30, 2007.

<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations>. Document ID:

066677f2-3938-cbb4-7dba-2edff70d279b.

## Appendix IFSOC-C - Statement of Concern Form

### *Patron Information*

Full Name

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*Must have a current LPL card in good status (i.e., no fines or fees) and have completed the 60-day probationary period for a new card.*

Address

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Phone

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### *Material for Comment*

Title

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Author

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Format

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*How were you made aware of the content of the item about which you are concerned?*

*How do you think this item conflicts with the Library's Collection Management Policy? (Please cite relevant sections.)*

*What action are you requesting the Library to consider?*

*Please initial the following steps upon completion.*

I have met with the Library Director to express my concerns. \_\_\_\_\_

I have read the Library's Collection Management Policy in its entirety. \_\_\_\_\_

I have read the First Amendment of the United States and the American Library Association's Library Bill of Rights and Freedom to Read Statement. \_\_\_\_\_

I have read, listened to, or viewed this item in its entirety. \_\_\_\_\_

I have read professional reviews of this material.  
*(Please cite your source or attach a copy.)* \_\_\_\_\_

*Other Comments*

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Patron's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Director's Signature \_\_\_\_\_ Date Received \_\_\_\_\_

*Date Received by the Board:* \_\_\_\_\_