

Discussing Material Selection and Retention - Information for Kentucky Public Libraries

The public libraries of the Commonwealth exist to foster education, information sharing, discourse, and the free expression of ideas. Below are some points to keep in mind when discussing the public library and the material selection.

Governance of the Public Library:

In Kentucky, the management and control of a public library is vested in the library board of trustees, who are responsible for their own bylaws, rules and regulations, as allowed by statute (KRS Chapter 173). The library board consists of members of the local community and provides oversight and governance of the library while day-to-day management is delegated to the library director. Among other duties, the director has responsibility for policy interpretation and issuance of procedural directives. A well-managed library will have board approved policies to govern all aspects of library operation, including supporting the selection of library materials that represent a broad range of topics and ideas to meet the information needs of their communities. Library policies should include collection development, request for material reconsideration, public comment, patron behavior, programming and displays.

Material Selection:

One of the primary roles of trained library staff is to develop collections and programs that reflect and support the communities they serve following established collection development policies and professional standards. While it is obviously impossible for staff to read all material, professional reviews and recommendations are considered in light of the library's collection development policies. If community members wish to suggest materials or services that they wish to be added or comment upon those they find objectionable, libraries should have procedures in place for considering those concerns. Public libraries should adopt policies that support the selection of library materials that represent a broad range of topics and ideas to meet the information needs of their communities and that address challenges to materials. All public libraries should have policies in the following areas: collection development, request for material reconsideration, public comment, patron behavior, programming and displays.

Resource Selection:

As publicly funded agencies, libraries have a duty to provide resources that ensure equitable service and representation of the diverse groups and perspectives of their community. Courts have consistently ruled the First Amendment offers very strong protections to materials in libraries. In Kreimer v. Bureau of Police for Town of Morristown, 958 F.2d 1242 (3d Cir. 1992), the courts found that libraries are a "limited designated public forum", and ruled that public libraries are constitutionally prohibited from removing materials based on viewpoint. Public libraries should cultivate a diverse collection that represents a wide range of viewpoints, opinions and ideas found in, or of interest to, their community. In order to protect collection integrity and diversity, if an item is challenged it is entitled to due process for review, by an objective body that assesses its merits in their entirety. Banning, removing, or censoring materials, speakers, or displays without due process violates the Constitutional rights of American citizens. Arbitrarily excluding books from display because of subject matter can be considered a form of governmental censorship. The mere presence of a title in a library collection does not indicate endorsement of the contents by the library or approval of the ideas presented. Paramount to this, the right and responsibility of parents and guardians to determine their own child's selection of reading and

viewing materials should not be infringed by the library or any outside group, regardless of how well intended.

The Kentucky Department for Libraries and Archives:

The Kentucky Department for Libraries and Archives (KDLA) is a state agency within the Education and Labor Cabinet that provides and promotes equitable access to quality library and information resources and services, as well as helps public agencies ensure that legislatively mandated documentation of government programs is created, efficiently maintained and made accessible. A portion of the agency's mission is to support local public library services and to ensure that documentation of government activities is created, preserved and made available for public use.

KDLA offers an example Collection Development Policy and other example policies on our website at: <https://kdla.ky.gov/librarians/librarypolicies/Pages/default.aspx>. KDLA also offers books and other materials on Intellectual Freedom for staff of Kentucky public libraries in the KDLA WorldCat Discovery Catalog available at: <https://kdla.ky.gov/common/Pages/WorldCatDiscovery.aspx>. Members of the public should request materials or assistance by contacting their local public library.

Library Associations Resources:

- Kentucky KPLA Statement <https://kpla.org/intellectual-freedom/>
- Utah Library Association toolkit <https://ula.org/wp-content/uploads/2021/12/Utah-Libraries.pdf> and statement <https://ula.org/content/2021/11/utah-library-book-challenge-statement>
- Michigan Library Association toolkit and statement <https://www.milibraries.org/intellectual-freedom-toolkit>.
- New Jersey Library Association Statement https://njla.memberclicks.net/index.php?option=com_content&view=article&id=991:njla-statement-against-censorship&catid=26:njla-executive-board-statements-and-resolutions&Itemid=161
- Oregon Library Association statement https://ola.memberclicks.net/assets/Communications/2021-22_communications/OLA-OIFC_Statement.pdf

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