

# City of San José, California

## COUNCIL POLICY

<b>TITLE</b> LIBRARY MATERIALS AND SERVICES	<b>PAGE</b> 1 of 4	<b>POLICY NUMBER</b> 0-3
<b>EFFECTIVE DATE</b> March 29, 1971	<b>REVISED DATE</b> 3/1/11	
<b>APPROVED BY COUNCIL ACTION</b> 75743	March 29, 1971; March 1, 2011, Item 5.1, Resolution No.	

### BACKGROUND

Requests have been received at various times, by individuals or organizations, to remove or limit access to books, or other materials and information from the library because in the requestor's opinion these materials or information resources were offensive or not in alignment with community values.

Such requests required individual consideration as to the principle of free access to ideas and the setting of a precedent whereby books could be forced off the open shelves or informational programs restricted, resulting in a form of censorship. City Policy 0-3 was adopted in 1971 to establish the guidelines that govern the services of the Library relative to the selection, access and placement of books and other Library materials and the presentation of educational and informational programs in the San Jose Public Library system. It incorporated the American Library Association's 1967 document titled "Library Bill of Rights". In 2006 the Mayor asked for an update of the current City Policies, and the Library Department has undergone a process of review and development to bring the Library Materials and Services Policy into alignment with current library practice and developments.

The Library Commission has recommended to the City Council that the American Library Association's document titled "Library Bill of Rights" as amended and adopted in 1996 be included as part of the policy of the City of San José.

### PURPOSE

It is the purpose of this policy to establish the guidelines to govern the services of the Library relative to the selection, access and placement of books and other Library materials and the presentation of educational and informational programs in the San Jose Public Library system.

### GUIDING PRINCIPLES

1. **Free and Open Access** to library information resources and materials is fundamental to the democratic process and an informed society.
2. **The Right of Free Speech** allows the individual to explore and learn about matters of personal interest within the limits of the law without judgment or curtailment by government.

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3. **Collections and Services to Meet Diverse Needs:** San José Public Library's collection, materials and services respond to diverse community needs for information, education and enlightenment.
4. **Parental Responsibility for Children:** Only parents or legal guardians have the authority and responsibility to decide the reading, viewing or listening use of library materials for their own minor children.
5. **The Agreement for Ownership and Operation of Joint Library Building and Grant of Easement by and between City of San José and the Trustees of the California State University on behalf of San José State University, dated December 17, 1998 and any amendments, will be honored and no policy contrary to the agreement will be implemented without required approval of the University.**
6. **Library Department Mission Statement:** The San José Public Library enriches lives by fostering lifelong learning and by ensuring that every member of the community has access to a vast array of ideas and information.

**POLICY**

The San José City Council recognizes that within San José there are groups and individuals with diverse interests, backgrounds and needs, and that the library serves all people within the City's service area. Therefore the Council adopts this policy for library materials and services.

The San José Public Library will select and develop a broad collection and provide programming that meets the needs and interests of a diverse community for information, education and enlightenment. The library should provide materials, information and services presenting all points of view on current and historical issues and these should not be limited or removed because of partisan or doctrinal disapproval. No library materials that meet library selection criteria shall be excluded because of the origin, background or views of those contributing to its creation. Both the library's physical collection of materials as well as access to the Internet and other electronic resources and databases are integral to fulfilling the mission and objectives of the library. The library is committed to supporting parents and guardians in guiding children to make appropriate use of library resources, through reading lists, web site links, children's collections, and library staff advice.

Under the direction of the City Librarian, library materials are selected by staff who use reviewing media, suggestions from the community, and their professional knowledge to develop a broad collection. Each selection is evaluated on its own merit and in relation to the collection as a whole, using criteria including but not limited to the following:

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demand by the public; cost; existing collection; availability of the material elsewhere; local importance; and timeliness. Gifts of materials may be accepted at the discretion of the City Librarian according to these selection criteria.

It is the policy of the City Council that the Library of the City of San José follow the American Library Association's document named the "Library Bill of Rights" as last reaffirmed on January 23, 1996; text is as follows:

- 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.

**PROCEDURE:**

- 1. The City Librarian may, either by giving direction to staff or by reviewing recommendations, approve materials, access to electronic information, services and licensed databases and educational programming.
- 2. The City Librarian, either directly or through delegation to staff, will maintain selection criteria, operating procedures and guidelines regarding library materials and educational services, and access to electronic information, services and licensed databases.
- 3. The City Librarian, either directly or through delegation to staff, will review written

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requests for reconsideration of specific titles or services, educational programming or access to electronic information, services or licensed databases, and will respond to the person(s) making such requests.

4. For library materials, services and access to electronic information and licensed databases at the Dr. Martin Luther King, Jr. Library, the City Librarian may collaborate with or refer issues and/or decisions to the Dean of the San José State University Library.