SUBJECT: GUIDELINES FOR THE DEVELOPMENT AND IMPLEMENTATION OF
POLICIES, REGULATIONS AND PROCEDURES AFFECTING ACCESS TO LIBRARY
MATERIALS, SERVICES AND FACILITIES

I. PURPOSE

The American Library Association has adopted the LIBRARY BILL OF RIGHTS and
Interpretations of the LIBRARY BILL OF RIGHTS to provide library governing
authorities, librarians and other library staff and library users with guidelines on how
constitutional principles apply to libraries in the United States of America.

Publicly supported libraries exist within the context of a body of law derived from the
United States Constitution and appropriate state constitutions, defined by statute, and
implemented by regulations, policies and procedures established by their governing
bodies and administrations. These regulations, policies and procedures establish the
mission of the library, define its functions, services and operations and ascertain the
rights and responsibilities of the clientele served by the library.

Publicly supported library service is based upon the First Amendment right of free
expression. The publicly supported library is a governmental entity that provides free,
equal and equitable access to information for all people of the community it serves. When
this purpose is confirmed in policies and practices, the library is a designated limited
public forum for access to information. When library policies or practices make meeting
rooms, exhibit spaces and/or bulletin boards available for public use, these spaces are
designated as limited public forums for the exchange of information.

II. SCOPE

Libraries adopt administrative policies and procedures regulating the organization and
use of library materials, services and facilities. These policies and procedures affect
access and may have the effect of restricting, denying or creating barriers to access to the
library as a public forum, including the library's resources, facilities and services. Library
policies and procedures that impinge upon First Amendment rights are subject to a higher
standard of review than may be required in the policies of other public services and
facilities.

Policies, procedures or regulations that may result in denying, restricting or creating
physical or economic barriers to access to the library's public forum must be based on a
compelling government interest. However, library governing authorities may place
reasonable and narrowly drawn restrictions on the time, place or manner of access to
library resources, services or facilities, provided that such restrictions are not based upon
arbitrary distinctions between individuals or classes of individuals.

The American Library Association's Intellectual Freedom Committee recommends that
publicly supported libraries use the following guidelines, based on constitutional
principles, to develop policies, regulations and procedures.
III. PROVISIONS (GUIDELINES)

All library policies, regulations and procedures should be carefully examined to determine if they may result in denying, restricting or creating barriers to access. If they may result in such restrictions, they:

A. should be developed and implemented within the legal framework that applies to the library. This includes: the United States Constitution, including the First and Fourteenth Amendments, due process and equal treatment under the law; the applicable state constitution; federal and state civil rights legislation; all other applicable federal, state and local legislation; and applicable case law;

B. should cite statutes or ordinances upon which the authority to make that policy is based, when appropriate;

C. should be developed and implemented within the framework of the Library Bill of Rights and its Interpretations;

D. should be based upon the library's mission and objectives;

E. should only impose restrictions on the access to, or use of library resources, services or facilities when those restrictions are necessary to achieve the library's mission and objectives;

F. should narrowly tailor prohibitions or restrictions, in the rare instances when they are required, so they are not more restrictive than needed to serve their objectives;

G. should attempt to balance competing interests and avoid favoring the majority at the expense of individual rights, or allowing individual users' rights to interfere materially with the majority's rights to free and equal access to library resources, services and facilities;

H. should avoid arbitrary distinctions between individuals or classes of users, and should not have the effect of denying or abridging a person's right to use library resources, services or facilities based upon arbitrary distinctions such as origin, age, background or views;

I. In the LIBRARY BILL OF RIGHTS and all of its Interpretations, it is intended that: "origin" encompasses all the characteristics of individuals that are inherent in the circumstances of their birth; "age" encompasses all the characteristics of individuals that are inherent in their levels of development and maturity; "background" encompasses all the characteristics of individuals that are a result of their life experiences; and "views" encompasses all the opinions and beliefs held and expressed by individuals;
J. should not target specific users or groups of users based upon an assumption or expectation that such users might engage in behavior that will materially interfere with the achievement of substantial library objectives;

K. must be clearly stated so that a reasonably intelligent person will have fair warning of what is expected;

L. must provide a means of appeal;

M. must be reviewed regularly by the library's governing authority and by its legal counsel;

N. must be communicated clearly and made available in an effective manner to all library users;

O. must be enforced evenhandedly, and not in a manner intended to benefit or disfavor any person or group in an arbitrary or capricious manner;

P. Libraries should develop an ongoing staff training program designed to foster the understanding of the legal framework and principles underlying library policies and to assist staff in gaining the skill and ability to respond to potentially difficult circumstances in a timely, direct and open manner. This program should include training to develop empathy and understanding of the social and economic problems of some library users;

Q. should, if reasonably possible, provide adequate alternative means of access to information for those whose behavior results in the denial or restriction of access to any library resource, service or facility.

Adopted by the ALA Intellectual Freedom Committee, June 28, 1994
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