



# **Pasco County Library System Collection Development Policy**

Revised March 2023

# Pasco County Library System Collection Development Policy

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### **Purpose of the Collection Development Policy**

The Collection Development Policy contains the guidelines for managing the Pasco County Library System's collection of materials. Its purpose is:

1. To provide a framework for library staff to continuously evaluate and improve the collection to meet patrons' needs; and
2. To inform the public of the philosophy of collection development and the guidelines used by the library.

The Collection Development Policy is a dynamic and flexible document. It is necessary to update and revise this policy at intervals in order to keep in step with patrons' needs and the Pasco County Library System's evolution. At a minimum, this policy will be evaluated and updated each time a new, long-range (strategic) plan is implemented by the Pasco County Library Cooperative.

## **Profile of Pasco County**

Pasco County is located in west central Florida on the Nature Coast and encompasses 20 miles of coastal land along the Gulf of Mexico. It is part of the Tampa Bay Region that includes Hillsborough, Manatee, Pasco, and Pinellas counties.

Pasco County was created by the Florida Legislature on May 12, 1887, to govern 745 square miles of land. The new county was named in honor of U.S. Senator Samuel Pasco. A referendum held in 1889 named Dade City as the county seat.

There are currently six municipalities incorporated in Pasco County: Dade City, Zephyrhills, New Port Richey, Port Richey, San Antonio, and St. Leo. However, the majority of Pasco County's population lives outside these cities in the unincorporated portions of the county, placing unique demands on Pasco County to provide a higher level of public service than would traditionally be expected of a county government.

Pasco County is predominately suburban in character with an estimated 65.4% percent owner occupied housing in 2021, although the northeastern part of the county still contains some agricultural and range area. The U.S. Census Bureau population estimate for 2021 was 584,067, a 25.7 percent increase over the 2010 Census of 464,697. By 2030, the population is estimated to reach 635,684 individuals.

<b>Ethnic Makeup of Pasco County, Florida (2021)</b>	
White	86.2%
Hispanic or Latino	18.1%
Black or African American	7.4%
Asian	3.1%
Two or More Races	2.6%
American Indian or Alaska Native	0.5%
Native Hawaiian or Other Pacific Islander	0.1%

While Pasco County did see a slight decrease in age from 43.8 in 2000 to 43.6 in 2010, it saw a return to 2000 levels in 2021, with the median age of residents increasing slightly to 43.8.

<b>Age Demographics of Pasco County, Florida (2021)</b>	
Under 5 years of age	4.9%
Age 5 to 19 years	17.7%
Age 20 to 34 years	16%
Age 35 to 64 years	39.3%
Age 65 and over	22.1%

According to the 2021 Census estimates, Pasco County residents are graduating from high school and seeking higher education in greater numbers, with 90.4 percent of the population 25 years or older possessing a high school degree or higher, and 26.1 percent holding a bachelor's degree or higher. Pasco County has a strong tradition of providing excellent educational opportunities with 48 elementary schools, 15 middle schools, 15 high schools, two education centers, three virtual schools, and 13 charter schools. There are 40,931 Pre-K and elementary school students, 20,848 middle school students, and 25,910 high school students enrolled for the 2022-23 school year. The Pasco-Hernando State College has six campuses throughout Pasco County, with several other colleges and universities located within the Tampa Bay Region.

Pasco County's largest industries are educational services, and health care and social assistance, employing 22.9 percent of the population. In 2021, the mean per capita income was \$33,753. The median income level was \$38,898, and approximately 11.6 percent of the population lives below the poverty level, matching the national average of 11.6 percent.

Pasco County enjoys a temperate climate with mild winters, making outdoor recreational activities a favorite among residents. Pasco County is home to championship golf courses and more than 40 annual festivals. Pasco County also boasts an extensive parks and recreational system providing ball fields, swimming pools, jogging, hiking, and cycling trails.

Pasco County is one of the fastest growing counties in the State of Florida. Retirees continue to be attracted to the mild climate and premier medical services available, while younger families find Southern Pasco County within easy commuting distances to other areas in the Tampa Bay Region. In 2021, Pasco County had 231,165 dwellings. By 2045, the population is projected to be 720,542.

## **Profile of the Pasco County Library Cooperative**

The Pasco County Library System (PCLS) was established by Pasco County Code of Ordinances in 1980. Libraries in Hudson, Holiday, and Land O' Lakes were incorporated into the PCLS. The Hugh Embry Library in Dade City, established in 1904, joined the PCLS in 1981. In 1986, a \$10 million bond referendum was passed by Pasco County voters to improve public library services and build new parks countywide. Additional funding for libraries was secured through Federal programs resulting in seven Pasco County Library branches. The City of Zephyrhills library joined with the Pasco County Library System to form a cooperative in 1999. Construction planning is currently underway for the Wesley Chapel Library which will be located within the Seven Oaks community with a tentative opening in 2025. The PCLS falls under the Board of County Commissioners of Pasco County, Florida, (BCC) and is part of the Pasco County Public Services Branch. The Pasco County Library Advisory Board works toward the development and implementation of sound programs for the library system and advises and makes recommendations to the BCC on policy matters pertaining to the PCLS.

In 1999, the PCLS and the Zephyrhills Public Library established the Pasco County Library Cooperative (PCLC) as a result of an inter-local agreement between the BCC and the Zephyrhills City Council. The PCLC works together to enhance public library services in Pasco County including processing and cataloging items using the same cataloging policies and sharing the same public access catalog.

The PCLC serves Pasco County in its entirety. In 2020, the total service population for the PCLC was 542,795 with 50 percent having library cards. Total circulation was 1,236,598 or 2.28 circulations per capita.

In 2020, the total operating expenses for the PCLC were \$7,330,104. Total expenses per capita were \$13.50. Total collection expenses were \$481,500, collection expenses were \$.89 per capita. Collection spending was 6.56 percent of total operating expenses. There were 682,309 volumes in the collection in 2020, or .56 volumes per capita.

## **Pasco County Library Cooperative Strategic Vision 2021-2024**

### **Our Vision**

The Pasco County Library Cooperative will enrich our community by being an essential resource for discovery, enjoyment, and creation.

### **Our Mission**

The Pasco County Library Cooperative attracts and satisfies customers through outstanding and responsive customer service, an excellent selection of materials and resources, and an inclusive environment that encourages personal and community betterment.

### **Our Values**

The Pasco County Library Cooperative holds its staff, its volunteers, and its providers to the highest standards of Integrity, Respect, Service Excellence, and Innovation.

## **Responsibility for Collection Development**

Final authority for collection development and materials selection rests with the Pasco County Library Advisory Board. The Library Director delegates responsibility for collection development and materials selection to the Librarian III- Systemwide-Services who carries out these responsibilities in accordance with this Collection Development Policy. The Librarian III- Systemwide-Services works with the Library Director, Systems Librarian, Librarian I- Collection Development, Branch Managers, and Public Service Librarians to develop and maintain the collection.



## **Collection Development Philosophy**

The Pasco County Library System (PCLS) recognizes the basic right of all people to have access to information of all types reflecting the widest possible range of viewpoints, including those that may be unorthodox or unpopular with the majority. The library values Pasco County's diversity and strives to reflect that diversity by providing materials across the spectrum of human thought. Individuals should have the choice to select what books to read and the freedom to make their own decisions about the viewpoints they accept and those they reject.

The PCLS supports the spirit of the principles in the following statements within the context of our local community standards:

1. Library Bill of Rights (Page No. 23)
2. Expurgation of Library Materials: An Interpretation of the Library Bill of Rights (Page No. 24)
3. The Freedom to Read Statement (Page No. 25)
4. Libraries: An American Value (Page No. 29)
5. Freedom to View Statement (Page No. 30)

As a limited public forum where free speech is constitutionally protected by the First Amendment, PCLS recognizes its responsibility to collect a broad array of materials in sufficient quantity and in a variety of formats to meet the educational, work, and personal information needs of all Pasco County residents.

The selection of materials for PCLS will not be restricted by the possibility that these materials may be used by children. It is the responsibility of parents or legal guardians to supervise the reading and viewing choices of their children or teenagers.

## **Collection Levels**

### **Level 1: Neighborhood Library**

A small neighborhood library is a facility designed to support the leisure, informational, educational, and recreational needs of the immediate surrounding community.

Typically, within a neighborhood library special collections are shelved with the rest of the collection.

Fiction and nonfiction collections have a narrower scope than other libraries with emphasis on:

- Current Popular Authors and Titles
- Basic Informational Materials
- Basic Educational Materials
- Basic Recreational Materials
- Library Of Things
- Patron Requests

Materials are not put in storage. Instead, materials are weeded continuously.

Small Neighborhood Libraries:

- Hugh Embry Branch Library
- South Holiday Branch Library

Statistical Information:

- Branch Size: 8,000 square feet minimum
- Collection Capacity: 13,000 – 14,000 items
- Public Service Hours 35 hours per week minimum

## Level 2: Community Library

A medium-sized community library is a facility designed to support the leisure, informational, educational, and recreational needs of the immediate surrounding community.

Typically, special collections are shelved with the rest of the collection. Also, juvenile reference materials are shelved with adult reference materials unless a separate children's room exists.

Fiction and nonfiction collections have a larger scope than the neighborhood library with emphasis on:

- Current Popular Authors and Titles
- Basic Informational Materials
- Basic Educational Information
- Basic Recreational Information
- Intermediate Materials for High Demand Topics
- Library Of Things
- Patron Requests

Materials are not put in storage. Instead, materials are weeded continuously.

Medium Community Libraries:

- Centennial Park Branch Library
- New River Branch Library

Statistical Information:

- Branch Size: 10,000 square feet minimum
- Collection Capacity: 14,000 – 15,000 items
- Public Service Hours: 35 hours per week minimum

### Level 3: Area Library

A large area library is a facility designed to support the leisure, informational, educational, and recreational needs of the immediate surrounding community.

Special collections may be shelved with the rest of the collection or separately. Also, juvenile reference materials are located in the children's area, separate from the adult reference materials.

Fiction and nonfiction collections have a larger scope than the community library with emphasis on:

- Current Popular Authors and Titles
- Basic and Intermediate Informational Materials
- Basic and Intermediate Educational Materials
- Basic and Intermediate Recreational Materials
- Library Of Things
- Patron Requests

Materials are not put in storage. Instead, materials are weeded continuously.

Large Area Libraries:

- Hudson Regional Library
- Land O' Lakes Branch Library
- Regency Park Branch Library

Statistical Information:

- Branch Size: 30,000 square feet
- Collection Capacity: 30,000-35,000 items
- Public Service Hours: 35-40 hours per week minimum

#### Level 4: Joint Use Libraries

A joint use library is a facility designed to support the needs of two distinct clienteles.

Joint Use Libraries:

Starkey Ranch Theatre Library Cultural Center

Statistical Information:

Branch Size: 25,000-30,000 square feet

Collection Capacity: 20,000-25,000 items

Public Service Hours: 40-45 hours per week minimum

The materials in the Juvenile and Young Adult sections of this facility are directly used and accessed by the students of a Pasco County School. The recommended reading level provided by publishers is used as a resource when selecting these materials. The materials selected for these shared spaces will promote critical thinking, educational growth, and lifelong learning.

## **Special Collections**

### Adaptive Toy Collection:

Location: Each branch houses a collection of adaptive toys for individuals with disabilities.

Accessibility: The Adaptive Toy Collection consists of circulating items that are shelved separately.

Designation: TOY call number prefix.

### Florida Collection:

Location: Various locations house a collection of materials about Florida.

Accessibility: The Florida Collection consists of circulating items that may be interfiled or shelved separately and reference items that are shelved with other reference materials.

Designation: FL call number prefix.

### Graphic Novel Collection:

Location: Each branch houses a collection of graphic novels for a variety of ages.

Accessibility: The Graphic Novel Collection consists of circulating items that may be interfiled with the rest of the collection or shelved separately.

Designation: GRAPHIC call number prefix.

### Parenting Collection:

Location: Each branch houses a collection of books in the adult collection that focuses on life issues that parents can use with their young children who are not reading independently. Adult non-fiction books on the subject of parenting can also be found in this collection.

Designation: PARENT call number prefix.

### Spanish Language Collection:

Location: Each branch houses materials in Spanish. The largest collection of Spanish language materials is available at the Hugh Embry Branch Library.

Accessibility: The Spanish Language Collection consists of circulating items that may be interfiled with the rest of the collection or shelved separately.

Designation: SPA call number prefix.

## **Selection Guidelines**

At the broadest level, the library's collection is divided into three sections including:

- The Adult Collection (selected for adults 19 years old and older);
- The Young Adult Collection (selected for young adults between the ages of 12 and 18); and
- The Juvenile Collection (selected for children 11 years old and younger).

The following criteria are applicable to items selected for each of the three areas of the collection. An item need not meet all the criteria to be acceptable, nor will any single criteria be decisive. Other factors may be taken into consideration, and the importance or weight of one particular criterion may vary from one acquisition to another.

1. Present and potential relevance to community needs:  
Library materials shall be obtained with the intention that they will be used once they enter the collection. They shall meet the current needs of the community or be acquired with the knowledge that they will be needed shortly after acquisition. Items will be assigned to locations based on such factors as local demographics and branch specializations. Items can be reassigned to a new location at any time.
2. Relevance of subject, format, and reading level for the intended audience:  
Library materials shall be obtained with the intention that they will be selected to meet the needs of the intended audience. Consideration of the preferred format such as large print, audio, etc. and reading level such as materials for children, young adults, adults, and those with special needs.
3. Importance as a document of the times:  
Library materials shall be obtained which serve as a record of the era in which they are published. Materials shall be obtained which chronicle contemporary history, including such areas as cultural trends, political climate, and natural events.
4. Literary and artistic merit:  
Library materials shall be obtained which exemplify quality in their field and serve to demonstrate the value of the category of media they represent.
5. Accuracy of content:  
Library materials shall be obtained which are accurate to an extent which is reasonably determined. Items which are candidates for de-selection for being outdated, superseded, or otherwise erroneous are, by their nature, inappropriate for selection or replacement.
6. Appropriateness and effectiveness of medium to content:  
Library materials will be obtained to reflect the content selected to ensure the material is presented in the most effective manner such as digital, print, etc.
7. Meets the needs of a specific group of users e.g., visually impaired  
Library materials shall be obtained which meet the needs of library users across a broad range of abilities. Title and subject availability of collections such as Large Print, Spanish language, and adaptive toys will be subject to such considerations as budget, demand, and space availability.
8. Format is appropriate to library use and is not easily damaged:  
Library materials shall be obtained which are durable and intended to be consumed by as many library users as possible before they are de-selected. Items such as pop-up books, workbooks, and coloring books shall be avoided, or obtained with elevated discretion.
9. Reputation and/or significance of author, publisher, or producer:  
Library materials shall be obtained which are works contributed to by noteworthy individuals, including those who are writing on subjects outside the typical scope of their expertise or recognition.
10. Author or producer is already represented in the collection:  
Library materials shall be obtained which provide comprehensive availability of an individual's body of work, while considering such limitations as budget, demand, and space availability.



11. Author or illustrator is local:  
Library materials shall be obtained which are works contributed to by individuals provincial to Florida, especially the greater Tampa Bay Area and Pasco County.
12. Positive reviews by critics, staff members and/or professional journals  
Library materials shall be obtained using library industry standard review publications including professional journals and professional librarian recommendations
13. Coverage in local or popular media:  
Library materials shall be obtained which have received attention from traditional, social, and other types of media, enabling library users to better understand and participate in current trends, events, and other topics of wide interest and conversation.
14. Popularity with library patrons:  
Library materials shall be obtained with the intent that they will be consistently borrowed by library users. The observed popularity of these items shall inform the acquisition of similar or related materials.
15. Continuation of a series:  
Library materials shall be obtained which provide comprehensive availability of an ongoing series or storyline, while considering such limitations as budget, demand, and space availability.
16. Balances existing materials in the collection  
Library materials shall be obtained which reflect an inclusive and well-rounded collection, so library users may be exposed to a variety of differing styles and opinions.
17. Enhances a specific collection in the library  
Collections shall be evaluated regularly to identify potential gaps in collections and materials shall be obtained as soon as possible to provide as diverse a collection as possible
18. Insufficient materials available on the subject  
Collections shall be evaluated regularly to evaluate potential deficiencies in the collection and materials shall be obtained as soon as possible to provide as diverse a collection as possible.
19. Not available from other lending sources:  
Library materials shall be obtained which are of interest to library users and unavailable to them through other means.
20. Within limits of budget for materials:  
Library materials shall be obtained in a manner which maximizes the value and respects the limitations of library funds. Items which have marginal lasting value shall be avoided in favor of materials with a higher overall quality for their monetary value.
21. Winners of recognized awards  
Library materials shall be obtain using various award programs such as Caldecott, Newberry, Sunshine State Young Reader awards, Pulitzer Prizes, etc.

Selection criteria for electronic resources additionally include:

1. Comparison of Content with Other Available Items
2. Cost
3. Ease of Access
4. Ease of Use
5. Hardware Requirements
6. Licensing Requirements
7. Networking Capabilities
8. Patron Assistance Requirements
9. Search Interface
10. Staff Training

Formats collected include:

- Book CDs
- Books
- DVDs & Blu-Rays
- E-Audiobooks
- E-Books
- Electronic Databases
- Electronic Games
- Library Of Things
- Periodicals
- Portable Digital Audio Books

Tools commonly used to select materials include:

- Lists of Recommended and Award-Winning Titles
- Magazines and Newspapers
- Professional Journals/Blogs/Websites
- Publishers' Catalogs and Promotional Materials
- Subject Bibliographies

## **Weeding**

Weeding is a continuous evaluation of the collection intended to remove items that are no longer useful. Weeding is an essential element of collection development that ensures the library's materials are helpful and accessible. Every library's print collection is limited by the space available to house it and collections should change over time to reflect changes in the community and in the library's goals.

When libraries do not weed regularly or consistently, patrons have trouble finding interesting and relevant materials. Removing outdated, worn, or damaged items makes the collection more visually appealing and more inviting to users. Patrons trust the library to supply information that is easy to find and up to date.

Items that are removed from the collection must:

1. Meet the weeding guidelines as presented in *CREW: A Weeding Manual for Modern Libraries* © Copyright 2012 Texas State Library and Archives Commission:
2. No longer meet the selection criteria found in the Collection Development Policy.

## **Responsibility for Weeding the Collection**

The Library Director delegates responsibility for weeding the collection to the Librarian III- Systemwide-Services who carries out this responsibility in accordance with the *CREW* method. The Librarian III- Systemwide-Services works with the Library Director, Systems Librarian, Librarian I- Collection Development, Branch Managers, and Public Service Librarians to weed the collection.

## **Periodicals Retention**

### Library Periodicals Retention

Weekly Magazines: Minimum of three months

All Other Magazines: Minimum of 6 months

Consumer Reports (reference): Minimum of two years

All Newspapers: Minimum of one week

## **Related Policies**

### Donations Policy

The Pasco County Library System has accepts donations, see [Donation Policy](#) for more information.

### Reconsideration of Library Materials

Reconsideration of Library Materials Policy

Reconsideration of Library Materials Table

Reconsideration of Library Materials Form

## **Supporting Documents**

The following supporting documents provide guiding principles for consideration in Collection Development.

### **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.

Amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; and January 29, 2019. inclusion of "age" reaffirmed January 23, 1996, by the American Library Association Council.

## **Expurgation of Library Resources An Interpretation of the Library Bill of Rights**

Expurgating library resources is a violation of the American Library Association's *Library Bill of Rights*. Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part of a library resource by administrators, employees, governing authorities, parent institution (if any) or third party vendors when done for the purposes of censorship. Such action stands in violation of Articles I, II, and III of the *Library Bill of Rights*, which state that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," "Materials should not be proscribed or removed because of partisan or doctrinal disapproval," and that "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

The act of expurgation denies access to the complete work and the entire spectrum of ideas that the work is intended to express. This is censorship. Expurgation based on the premise that certain portions of a work may be harmful to minors is equally a violation of the *Library Bill of Rights*. Expurgation without permission from the rights holder may violate the copyright provisions of the United States Code.

The decision of rights holders to alter or expurgate future versions of a work does not impose a duty on librarians to alter or expurgate earlier versions of a work. Librarians should resist such requests in the interest of historical preservation and opposition to censorship. Furthermore, librarians oppose expurgation of resources available through licensed collections. Expurgation of any library resource imposes a restriction, without regards to the rights and desires of all library users, by limiting access to ideas and information.

Adopted February 2, 1973 by the American Library Association Council;  
amended July 1, 1981, January 10, 1990; July 2, 2008, and July 1, 2014.



## The Freedom to Read Statement

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 or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. 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.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. 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 or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. 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 controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that 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 toward 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 people 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 that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that 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 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 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 can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

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 that 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 expression 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 values differ, and values cannot be legislated; nor can machinery be devised that 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 the prejudgment of a label characterizing it or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. 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; and by the government whenever it seeks to reduce or deny public access to public information.*

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 individuals are free to determine for themselves what they wish 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. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

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, they 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 the reader cannot obtain matter fit for that reader's 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 and growth. The defense of the freedom to read requires of all publishers and librarians 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 the written word. We do so because we believe that it is 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 it is ours.

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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 American Library Association Council and Association of American Publishers Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

The American Library Association and the Association of American Publishers.

Subsequently endorsed by:

- American Booksellers Foundation for Free Expression
- Association of American University Presses, Inc.
- Children's Book Council
- Freedom to Read Foundation
- National Association of College Stores
- National Coalition Against Censorship
- National Council of Teachers of English
- The Thomas Jefferson Center for the Protection of Free Expression

## **Libraries: An American Value**

Libraries in America are cornerstones of the communities they serve. Free access to the books, ideas, resources, and information in America's libraries is imperative for education, employment, enjoyment, and self-government.

Libraries are a legacy to each generation, offering the heritage of the past and the promise of the future. To ensure that libraries flourish and have the freedom to promote and protect the public good in the 21<sup>st</sup> century, we believe certain principles must be guaranteed.

To that end, we affirm this contract with the people we serve:

- We defend the constitutional rights of all individuals, including children and teenagers, to use the library's resources and services;
- We value our nation's diversity and strive to reflect that diversity by providing a full spectrum of resources and services to the communities we serve;
- 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;
- We connect people and ideas by helping each person select from and effectively use the library's resources;
- We protect each individual's privacy and confidentiality in the use of library resources and services;
- We protect the rights of individuals to express their opinions about library resources and services;
- We celebrate and preserve our democratic society by making available the widest possible range of viewpoints, opinions and ideas, so that all individuals have the opportunity to become lifelong learners - informed, literate, educated, and culturally enriched.

Change is constant, but these principles transcend change and endure in a dynamic technological, social, and political environment.

By embracing these principles, libraries in the United States can contribute to a future that values and protects freedom of speech in a world that celebrates both our similarities and our differences, respects individuals and their beliefs, and holds all persons truly equal and free.

Adopted Council of the American Library Association  
February 3, 1999

## Freedom to View Statement

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 these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using films, video, and other audiovisual materials.
3. To provide film, video, 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.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging a film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the American Film and Video Association Board of Directors in February 1979. This statement was updated and approved by the American Film and Video Association Board of Directors in 1989.

Endorsed January 10, 1990, by the American Library Association Council

## **Legal Framework for Collection Development**

This overview of the legal framework surrounding public libraries is not meant to be a thorough, formal legal analysis. Instead, this overview is intended to be informative regarding the issues facing public libraries.

### Limited Public Forums:

Public libraries are limited public forums as established by several court decisions including *Concerned Women for America, Inc. v. Lafayette County*, 883 F.2d 32 (5<sup>th</sup> Cir. 1989), *Kreimer v. Bureau of Police for Morristown*, 958 F.2d 1242 (3d Cir. 1992), and *Mainstream Loudoun, et al. v. Board of Trustees of the Loudoun County Library*, 24 F. Supp.2d 552 (E.D. of Va. 1998). A limited public forum serves as a public forum for the expressively stated purpose in the organization's mission statement. The courts have defined a public forum as 1) a place that has been traditionally available for public assembly, speech or discussion or 2) a place that government has designated for free speech purposes. Being designated as a limited public forum prohibits public libraries from limiting access to constitutionally protected free speech. Limitations may be placed on the time, place, or manner of access to library resources, services, or facilities if the limitations are necessary to fulfill the library's mission and there is no other alternative available without restricting speech. Limitations must be narrowly tailored and content neutral.

### Speech Not Protected by the U.S. Constitution:

The categories of speech that are not protected by the U.S. Constitution include:

- **Obscene Speech**: In *Miller v. California*, 413 U.S. 15, 93 S.Ct. 2607, 37 L.Ed.2d. 419 (1973) the U.S. Supreme Court outlined a three-part test to determine if speech is obscene. This three-part test also appears in Section 847.001(12), Florida Statutes, 2022. The test is:
  - (a) The average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest;
  - (b) Depicts or describes, in a patently offensive way, sexual conduct as specifically defined herein; and
  - (c) Taken as a whole, lacks serious literary, artistic, political, or scientific value.
  
- **Child Pornography**: The United States Code, Title 18, Chapter 110, Section 2256, defines child pornography as “any visual depiction, including any photography, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where—
  - a. the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
  - b. such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;
  - c. such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or

- d. such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.
- Child Pornography: Section 847.001(3), Florida Statutes defines child pornography as:
  - a. Any image depicting a minor engaged in sexual conduct; or
  - b. Any image that has been created, altered, adapted, or modified by electronic, mechanical, or other means, to portray an identifiable minor engaged in sexual conduct.
- Libel and Slander: Libel is an untruthful statement about a person, published in writing or through broadcast media, that injures the person's reputation or standing in the community. Slander is an untruthful statement that is spoken, but not published in writing or broadcast through the media. Noteworthy cases include *The New York Times v. Sullivan*, 376 U.S. 254, 84 S.Ct. 710, 11 L.Ed.2d. 686 (1964) and *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 94 S.Ct. 2997, 41 L.Ed.2d. 789 (1974).
- Clear and Present Danger: In *Schenck v. United States*, 249 U.S. 47, 39 S.Ct. 247, 63 L.Ed.2d. (1919), Justice Oliver Wendell Holmes stated his famous aphorism about "falsely shouting fire in a theatre" and set forth a "clear and present danger test" to judge whether speech is protected by the First Amendment. "The question," he wrote, "is whether the words are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has the right to prevent. It is a question of proximity and degree." In *Brandenburg v. Ohio*, 395 U.S. 444, 89 S.Ct. 1827, 23 L.Ed.2d. 430 (1969) the Supreme Court established the modern version of the "clear and present danger" doctrine, holding that states only could restrict speech that "is directed to inciting or producing imminent lawless action, and is likely to incite or produce such action."
- Fighting Words: In *Chaplinsky v. New Hampshire*, 315 U.S. 568 (1942), the court defined fighting words as "those which by their very utterance inflict injury or tend to incite an immediate breach of the peace." Since 1942 the courts have continuously narrowed this definition. In *Street v. New York*, 394 U.S. 576 (1969), the court emphasized that fighting words must present an actual threat of immediate violence, not merely offensive content.

#### Minors' First Amendment Rights:

Minors have First Amendment rights, too. In *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969), three students sued the school after it attempted to prevent the students from wearing black armbands in protest of the war in Vietnam. The Supreme Court ordered the school to allow the students to wear the armbands. "Students in school as well as out of school are 'persons' under our Constitution, "the Court elaborated. "They are possessed of fundamental rights which the State must respect..."

In *Erznoznik v. Jacksonville*, 422 U.S. 205, 213-14, 45 L. Ed. 2d 125, 95 S.Ct. 2268 (1975) the court stated that "speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when the government seeks to control the flow of information to minors."

However, the courts have determined that minors and adults have different degrees of First Amendment rights.



For example, in *Ginsberg v. New York*, 390 U.S. 629, 20 L. Ed. 2d 195, 88 S.Ct. 1274 (1968), the Supreme Court upheld a New York State statute barring retailers from selling sexually explicit publications to minors under the age of 17. Noting that the statute did not interfere with the right of adults to purchase and read such materials, it found that it was not constitutionally impermissible for New York to restrict minors' rights to such publications in light of the state's interest in safeguarding children's welfare and supporting parents' claim to authority in the rearing of their children. Yet the Supreme Court famously ruled that the state of Michigan could not "reduce[s] the adult population of Michigan to reading only what is fit for children" in *Butler v. Michigan*, 352 U.S. 380, 1 L. Ed. 2d 412, 77 S. Ct. 524 (1957). A man convicted of selling "a book containing obscene, immoral, lewd, lascivious language, or descriptions, tending to incite minors to violent or depraved or immoral acts, manifestly tending to the corruption of the morals of youth" to a police officer appealed his conviction to the Supreme Court. The Court overturned the conviction and struck down the law, holding that the state's attempt to quarantine the general reading public against books not too rugged for grown men and women to read in order to shield juvenile innocence "is to burn the house to roast the pig."

With the passage of the Children's Internet Protection Act in 2000, the "harmful to minors" standard was set. Harmful to minors is defined in Title 47, Chapter 5, Subchapter II, Part I, Section 231 (6) of the U.S. Code as:

- a. the average person, applying contemporary community standards, would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest;
- b. depicts, describes, or represents, in a manner patently offensive with respect to minors, an actual or simulated sexual act or sexual contact, an actual or simulated normal or perverted sexual act, or a lewd exhibition of the genitals or post-pubescent breast; and
- c. taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

*Sources:*

- American Library Association, [www.ala.org](http://www.ala.org)
- Florida Library Association, <https://www.flalib.org>
- Florida Statutes, [www.leg.state.fl.us/Statutes/index.cfm](http://www.leg.state.fl.us/Statutes/index.cfm)
- United States Code, [uscode.house.gov](http://uscode.house.gov)