The Library Bill of Rights and School Library Media Programs

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ABSTRACT
THIS ARTICLE TRACES THE VALUE AND USE OF THE LIBRARY BILL OF RIGHTS in school library media settings through an examination of national library media guidelines, collection development texts, intellectual freedom publications, and intellectual freedom research. It discusses the inclusion of the Library Bill of Rights in collection development policies and research findings about the statement's use in challenges, and concludes that information professionals, while realizing that the Library Bill of Rights is not a legal document, find it useful for support and guidance.

INTRODUCTION
Gordon Baldwin, in this issue of Library Trends, examines the Library Bill of Rights from the perspective of a first amendment legal scholar and finds it lacking in legal protection for librarians and library users. While his discussion is a provocative one, this finding comes as no surprise to the library profession. A response to Baldwin's discussion might take many directions, given the various points that he raises, but the essential question is, "What is the value of the Library Bill of Rights?"

To answer this question, it is useful to begin with the recognition that the Library Bill of Rights does not stand alone. Its appearance, in professional practice, is often in conjunction with a library's collection development policy. Therefore, this discussion will begin with the subject of materials selection policies, as these are commonly referred to in school settings.
To look at the value of the Library Bill of Rights within a school environment, it is necessary to begin with another professional statement, "The School Library Bill of Rights." The American Association of School Librarians (AASL), a division of the American Library Association (ALA), adopted the School Library Bill of Rights in 1955. It was adopted by the ALA Council in the same year. Later revised by AASL in 1969, the School Library Bill of Rights affirmed a belief in the Library Bill of Rights, while focusing specifically on intellectual freedom needs from a school library media standpoint (see Appendix A).

In the twentieth century, school library media program development has been guided by the profession’s national guidelines. National guidelines developed after 1955 were examined to determine whether the Library Bill of Rights or the School Library Bill of Rights was referenced and the context in which either was included.

AASL (1960) published the profession’s first national guidelines to include the School Library Bill of Rights in Standards for School Library Programs. These guidelines listed the School Library Bill of Rights as first among basic principles to guide the selection of books and other materials for school library media center collections. They emphasized that not only librarians but also school administrators, as well as classroom and special teachers, should endorse and apply School Library Bill of Rights principles.

Nine years later, AASL joined with the National Education Association’s Department of Audiovisual Instruction (1969) to issue Standards for School Media Programs, which looked more specifically at basic policies in the selection of library media center materials. The importance of a written selection policy statement that affirmed such American freedoms as those described in the Library Bill of Rights and the School Library Bill of Rights for the school and the school district was stressed. The 1969 guidelines stressed the importance of adoption by the school board as well as endorsement by educators including the library media specialist. Then, in 1975, AASL, with the Association for Educational Communications and Technology (AECT, 1975), published Media Programs: District and School. Like the 1969 guidelines, it emphasized the importance of the selection policy as a means of reflecting and supporting intellectual freedom principles described in the Library Bill of Rights and the School Library Bill of Rights.

Discussions about whether a School Library Bill of Rights was still needed began after a 1967 revision of the Library Bill of Rights included a statement about age that read: "The rights of an individual to the use of a library should not be denied or abridged because of his age, race, religion, national origins or social or political views" (ALA, 1996, p. 13). Shortly after the publication of the 1975 national guidelines, the matter was settled when the AASL Board formally withdrew the School Library Bill of Rights as an official document. Although officially withdrawn by
AASL and ALA, it still appears with some regularity in materials selection policies, for it speaks so directly to selection concerns facing school library media specialists.

In place of the School Library Bill of Rights, a full ten years later, a school-oriented interpretation of the Library Bill of Rights was issued called “Access to Resources and Services in the School Library Media Program: An Interpretation of the Library Bill of Rights (AASL)” (ALA, 1996, pp. 41, 42). The most recently published national guidelines, again published jointly by the AASL and the AECT (1988) and titled Information Power: Guidelines for School Library Media Programs, added this 1986 ALA council interpretation of the Library Bill of Rights from a school perspective. While Baldwin does not mention Library Bill of Rights interpretations, there are over a dozen interpretations developed by ALA’s Intellectual Freedom Committee that, like the Library Bill of Rights, have been adopted by the ALA council. The interpretations provide directed practical advice designed to guide professional practice on a day-to-day basis. These provide insight into some questions raised by Baldwin about the vague or broad statements of the Library Bill of Rights when they are interpreted literally (see Appendix B).

In addition to national school library media guidelines, the Intellectual Freedom Manual (American Library Association, 1996) also provides guidance urging the inclusion of the Library Bill of Rights in materials selection policies. Another ALA publication of help to public school educators and administrators, Censorship and Selection: Issues and Answers for Schools (Reichman, 1993), urges similar uses of the Library Bill of Rights.

COLLECTION DEVELOPMENT AND INTELLECTUAL FREEDOM RESEARCH

In library and information studies education programs, collection development issues are a common and integral part of the curriculum. While they may be incorporated into several classes, some programs have specific courses in collection development and many adopt one of two possible texts, Developing Library and Information Center Collections by G. Edward Evans (1995) and The Collection Program in Schools by Phyllis J. Van Orden (1995). Each places some emphasis on the Library Bill of Rights. In addition to a chapter on intellectual freedom issues, Van Orden briefly indicates that many schools endorse the Library Bill of Rights and other professional statements. Evans discusses the Library Bill of Rights in the chapter “Censorship, Intellectual Freedom, and Collection Development”:

The Library Bill of Rights outlines the basic freedom of access concepts the American Library Association hopes will guide library public service....Since its adoption in 1948, the provisions of the Library Bill of Rights have assisted librarians in committing their libraries to a philosophy of service based on the premise that users of libraries should have access to information (on all sides of all issues)....The
Library Bill of Rights is an important guide to professional conduct in terms of intellectual freedom. It is a standard by which one can gauge daily practices against desired professional behavior in the realms of freedom of access to information, communications, and intellectual activity. (p. 512)

Thus, whether one cites national guidelines or standard collection development texts, it is obvious that the school library media community encourages the inclusion of the Library Bill of Rights in approved school library media center collection development policies. However, how likely are policies to actually contain references to the Library Bill of Rights?

In her effort to answer the question, "What is the relationship between the outcome of an incident of censorship and the recommended components of a selection policy?" Bracy (1982) examined materials selection policies in sixty-one Michigan school districts where high school library media specialists reported challenges to library media materials between 1973 and 1978. She found that 92 percent of these policies contained a statement of philosophy and that the statement itself constituted the most prevalent component (of ten recommended components) in districts reporting retention as the outcome of challenges. Her findings reflected a priority of Michigan's state association, the Michigan Association for Media in Education (MAME). MAME recommended that the first component of a materials selection policy be a statement of philosophy, citing the Library Bill of Rights as an example. Bracy concluded that having a policy was important in the retention of materials, and that policies with certain components, including the statement of philosophy, would guide the profession in collection development and enlighten the school population and community about its approach to the selection of instructional materials.

Bracy's study is important because it demonstrated that inclusion of the Library Bill of Rights in actual materials selection policies had value in the retention of challenged materials. Several other studies show a positive relationship between the existence and use of a materials selection policy and the retention of challenged materials in the collection. The well-known Fiske study (1959) on book selection, challenges, and censorship in selected California school and public libraries in the 1950s is considered among the most influential research on intellectual freedom in American libraries. Using an extensive interview process involving school administrators and school, as well as public, librarians, Fiske found that the affirmation of the existing materials selection policy by libraries under attack was a factor in retaining challenged materials. Other Fiske findings are discussed in several other essays in this issue. Similar findings were reported by Woodworth (1976), Limiting What Students Shall Read (1981), McDonald (1983), Jenkinson (1985), and Hopkins (1991).

This author's research at state and national levels has focused primarily on factors that influence the outcome of challenges to materials (i.e.,
retention, restriction, and removal) in secondary school library media centers (Hopkins, 1991, 1993). While the Library Bill of Rights or the superseded School Library Bill of Rights were rarely specifically addressed in my research, there is an emphasis on the challenges that are examined through policies governing the selection and reconsideration of materials. Because library education texts, national school library media guidelines, professional practice, and research assume that school library media center policies contain references to the Library Bill of Rights, discussion of the Library Bill of Rights and its use is implied in coverage of the role of policies in the retention of materials.

In a 1991 national study of schools serving grades 7 and up, it was found that 3,422 respondents (73 percent) reported having a materials selection policy, while 1,260 (27 percent) reported no policy. In addition, 2,964 (64 percent) reported no challenges to library materials between 1986 and 1989, while 1,661 (36 percent) reported complaints. Schools reporting full or part-time library media specialists were far more likely to have policies than those without library media specialists.

A follow-up questionnaire was sent to those reporting challenges. Retention of challenged material was reported by 317 (52 percent) library media specialists. Restriction was reported by 131 (22 percent), and removal was reported by 158 (26 percent). Library media specialists reporting a board-approved selection policy were more likely to report that materials were retained. Further, those following provisions of the policy most were more likely to report that material was retained.

In a list of statements about perceptions of school library media specialists, two relevant statements about material selection policies stand out. Library media specialists indicated agreement that a policy is effective in dealing with complaints and that, when the policy is followed, material will be retained. They were also more likely to agree with these statements when material was retained. Overall, the most important factors influencing retention of challenged materials were found to be a written board-approved materials selection policy and support (internal and external) for retention.

The Bill of Rights can also be thought of in terms of support to the library media specialist. During the 1994-95 school year, this author did a follow-up study of the challenges to Wisconsin high school library media materials by visiting several schools in which challenged material had been retained. In separate interviews with three library media specialists, this author sought to learn their views about the value of the Library Bill of Rights (or School Library Bill of Rights, if that was what was referenced in the materials selection policy). The library media specialists responded that they found the Library Bill of Rights to be supportive in communicating the philosophy undergirding the library profession to school board members, parents, and other community members during the challenge process.
Thus my research and that of others supports Bracy. Like her, it was found that a board-approved material selection policy did make a difference in the retention of challenged materials. Since policies can be expected to contain references to and/or copies of the Library Bill of Rights as a part of a board-approved materials selection policy, the Library Bill of Rights may be said to be of value in the retention of challenged material. The Library Bill of Rights also serves as a statement that communicates the philosophy of access in libraries.

Elsewhere in this issue of *Library Trends*, Gordon Baldwin and Shirley Wiegand cite Amy Hielsberg’s (1994) account of the response of a classmate when she read portions of the novel, *American Psycho*. The episode that Hielsberg describes occurred in my class, “Intellectual Freedom and Libraries” (SLIS 645), which this author teaches each year at the University of Wisconsin—Madison’s School of Library and Information Studies. Background on the presentation may be helpful. We were near the end of the semester, and time had been set aside for student intellectual freedom presentations on semester papers. The presentations enriched the course for, by design, they complemented topics focused on in class. The oral presentations were designed so that they always occurred near the end of the semester when class members were more likely to be comfortable with each other. The presentation was also structured on a topic upon which the student was extremely knowledgeable. Although SLIS students are usually mature adults—many preparing for second or even third careers—for some students a class presentation can be an intimidating experience.

Dialogue with class members was expected, and students making presentations were encouraged to select the most effective manner to orally communicate the focus of their presentation. It is with this background that Hielsberg designed a presentation on self-censorship that captured the attention of the class. The subsequent class discussion was an example of the openness that is especially appropriate for an intellectual freedom class. Hielsberg’s topic, self-censorship, as seen in possible conflicts of librarians’ personal beliefs/values with a library’s collection policy, is not a new one. The Library Bill of Rights, along with other strategies discussed in class, offered a means by which students could consciously consider selection decisions in light of inhibitors to access, including personal ones.

A particularly relevant case in terms of material selection policies and the Library Bill of Rights was presented in September 1995 in the U. S. Federal District Court for the District of Kansas. Plaintiffs representing students and parents (including one teacher who is also parent of two of the student plaintiffs) sued United School District No. 233, Johnson County, Kansas; Ron Wimmer (Superintendent of Schools); and Lowell Ghosey (Principal of Olathe South High School) (Case No. 94-2100 GTV).
The suit was precipitated by the removal of Nancy Garden's (1982) book, *Annie on My Mind*, from several school library media centers in Olathe, Kansas, by the superintendent.

The plaintiffs were represented by the American Civil Liberties Union and the Law Offices of Shook, Hardy & Bacon of Overland Park, Kansas. Because the Library Bill of Rights was prominent in the school-board approved materials selection policy, my advice was sought on school material selection policies and the Library Bill of Rights. I was asked to address five primary areas: (1) appropriate methods to determine whether a book is suitable for a school library media center; (2) whether *Annie On My Mind* (the removed title) met criteria for suitability; (3) reasons why the book might not be selected; (4) the proper response of a school to a citizen's complaint about a book; and (5) the American Library Association's Library Bill of Rights and its application to this case. In my capacity as advisor, there was an opportunity to review several of the materials from this case, including the petition and some depositions. The summary of the case is based on this review.

*Annie on My Mind* is a young adult fiction love story of two young women during their senior year of high school as seen through the eyes of one of the women who recalls the relationship in her first year of college. Between its publication in 1982 and the time plaintiffs brought the suit in 1994, *Annie on My Mind* had received many distinctions. These distinctions came from many sources, including the American Library Association, the National Council of Teachers of English, and the *New York Times*.

The book was already a part of the library collections of Olathe East High School, Olathe South High School, and Indian Trail Junior High School. It was not a part of the curriculum or assigned reading. The book came to the attention of Superintendent Wimmer after The Gay and Lesbian Alliance Against Defamation (GLAAD) (Kansas City) Book Project, in cooperation with Project 21, a national organization, sought to donate copies of two gay-themed books to high schools throughout the Kansas City Metropolitan Area in 1993. Besides *Annie on My Mind*, GLAAD also attempted to donate *All American Boys* by Frank Mosca (1983). The organization indicated its desire to ensure that all students have access to diverse information about gender/sexual orientation through their local school libraries.

About the same time, special interest groups were urging other Kansas area school districts to remove books the groups found to be objectionable for political and religious reasons. The plaintiffs indicated that *Annie on My Mind* had been one of several books actually burned by groups during a demonstration in Kansas City.

In November, Wimmer appointed a special review committee consisting of an assistant superintendent and library media specialists from the three high schools to evaluate the alliance's recommended donations.
and recommend whether *Annie on My Mind* should be retained in the school library media centers. The committee found that *Annie on My Mind* easily met district standards as embodied in the materials selection policy and recommended it remain a part of the library media center's collection (*All American Boys* was not believed to meet selection criteria and thus was not recommended by the review committee).

When Wimmer met with the special review committee in December, he indicated that he had taken it upon himself to revise the district's policy on the acceptance of donated books. According to the new policy, books donated by special interest groups would be accepted only when "such donations do not advocate a special interest agenda contrary to the best interest of the school district and only when such donations are deemed appropriate for general student use." Wimmer told the committee that the policy would be enforced uniformly and that books already on the shelf would stay there. As a result, committee members concluded that *Annie on My Mind* would stay on library shelves. Despite the fact that the school district never received a formal complaint about *Annie on My Mind*, on December 14, 1993 (the next day), Wimmer announced he was banning *Annie on My Mind* from the library media center collections.

On January 6, 1994, Olathe South High School Senior Amanda Greb—honor student and National Merit semi-finalist—spoke to the school board about the banning. She presented a petition opposing Wimmer’s action signed by 604 Olathe South students and one parent. At the same meeting, Olathe East High School senior Stevana (Stevie) Case—honor student, National Merit semi-finalist, and president of the student government—presented a unanimous resolution of the Olathe East student body condemning censorship and calling for the return of *Annie on My Mind* to the library media center collections. Others testified at that meeting, including parents and members of the community. Following these statements, the board adjourned to private session then reconvened in public and voted 4-2 to support the superintendent’s decision. They gave no explanation or justification for their decision.

Between January 11 and 19, the superintendent met with Olathe South High School seniors and told them that he feared the district would be embroiled in controversy. He indicated he had removed the books to deal with "a controversy going on in the area" and that his decision was "appropriate for the time." According to several students present, the superintendent acknowledged that official procedures and policies were not followed.

The plaintiffs believed that Wimmer’s decision to ban *Annie on My Mind* was motivated by a fear that religious political interest groups would successfully oppose the district’s upcoming bond issue scheduled for April 5, 1994. They claimed that the removal was a violation of the U.S. Constitution, that actions of the school district and Wimmer denied and in-
fringed upon rights guaranteed by the 1st and the 14th amendments of the U.S. Constitution to receive information and ideas and to be free from having their access to library books restricted for ideological reasons. Finally, they alleged that actions were motivated by partisan and political considerations designed to suppress ideas, abridge freedom of speech and expression, and deny free access to information and ideas. The plaintiffs asked for the return of Annie on My Mind to the open shelves of high school library media centers in the district.

Letters exchanged between Steven Case, one of the plaintiffs and the only teacher involved in the suit, and Superintendent Wimmer demonstrate some of the written dialogue that resulted from the removal. On February 8, 1994, Case wrote:

Learning is a process that begins with the learner. It is a lifelong process of personal growth. Along the way there are guides and facilitators who act as advisors to this internal process. In this scheme, each learner needs as much information as possible. A wide range of information allows each of us to explore the range of human existence and figure out our place in it. We have all read a variety of books, Mein Kampf, the Communist Manifesto, Mao's Red Book, and others that we may not agree with, but they help us to look at issues from different perspectives and develop our critical thinking skills. Each helps us define who we are and what we think. Without the breadth of human thought education can become a process of meaningless memorization and indoctrination. With this breadth we have the development of intellectualism and thought.

I have deep concerns about the effect of this decision on our library collections but I have deeper concerns about the impact on curriculum....I would like to see the books returned to the library shelves immediately. I would like the school district to establish a policy that would not allow the removal of books from our libraries if the books meet the guidelines of the American Library Association....

Four days later, Wimmer responded in part: "I do not feel this single action threatens the fabric of our schools or the purpose of education. My commitment to students and the best interest of this school district remains my highest priority..." (Wimmer to Case, personal communication, February 12, 1994).

Both sides presented evidence to a judge in September 1995. In a November 1995 decision, the judge ruled in favor of the plaintiffs, finding that the removal of Annie on My Mind was unconstitutional. The book was ordered returned to library shelves.

The removal of Annie on My Mind from the shelves of library media centers by a district administrator is not new. In this instance, students and community members challenged the action. Supporting this challenge was the district's own board-approved materials selection policy that fully embraced the principles embodied in the Library Bill of Rights and principles of intellectual freedom. The policy called for referral of a
written complaint to a reconsideration committee. In this instance, no formal complaint was ever received. Wimmer acted contrary to the district's policy in removing the book. He appeared to have been unduly influenced by actions taking place in neighboring communities. Given the ongoing pressure, public scrutiny, and stress that district administrators are constantly subjected to, the decision to remove *Annie On My Mind*, while unfortunate, was not surprising. Since the school board embraced the principles of the Library Bill of Rights and intellectual freedom in its materials selection policy, the book should have been returned to the school library media center shelves.

**CONCLUSION**

Information professionals recognize that the Library Bill of Rights alone has no legal standing. What, then, is the value of it? The Library Bill of Rights has significant value for professional practice, including the retention of challenged materials. Evans (1995) summarizes the point well:

> Because the *Library Bill of Rights* is not law, the statement provides no legal protection for libraries or librarians. What legal protection exists is primarily in the freedom of speech provisions of the First Amendment. The *Library Bill of Rights* is an important guide to professional conduct in terms of intellectual freedom. It is a standard by which one can gauge daily practices against desired professional behavior in the realms of freedom of access to information, communications, and intellectual activity. A librarian's primary responsibility is to provide, not restrict, access to information. (pp. 512, 513)

Baldwin comments on the various judicial interpretations of the First Amendment. His comments, this author's own research, as well as auditing a First Amendment class offered through the University of Wisconsin—Madison's political science department, suggest that, as a profession, librarians have insufficient grounding in the evolution of the First Amendment. Beyond the words, "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 people peaceably to assemble, and to petition the Government for a redress of grievances," few of us are aware of Supreme Court interpretations that have been made over the years. It is likely that librarians would be surprised to learn of these decisions, especially in earlier years. The decisions demonstrate growth and continuing struggles in reaching the intellectual freedom principles that the profession embraces.

The knowledge that the Library Bill of Rights alone does not carry legal protection should not be disconcerting. The issues are decidedly complex and do not invite resolution overnight. This nation's early laws in areas such as slavery, segregation, and voting rights makes it evident that all laws are not just, and that laws can be, and are, changed. Such
changes can be attributed, in part, to the beliefs of those who fought injustice, to the statements that they made or found to guide them, and to the actions they undertook to focus attention on injustice. In a similar way, the Library Bill of Rights stands in response to the beliefs and ideals of the library profession and in response to the willingness of the profession and others to support intellectual freedom principles in the face of injustice. The Library Bill of Rights thus serves as a springboard for contemplation, dialogue, and action.
APPENDIX A

The American Association of School Librarians reaffirms its belief in the Library Bill of Rights of the American Library Association. Media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end the American Association of School Librarians asserts that the responsibility of the school library media center is:

To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles, and to provide maximum accessibility to these materials;

To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served;

To provide materials for teachers and students that will encourage growth in knowledge, and that will develop literary, cultural and aesthetic appreciation, and ethical standards;

To provide materials which reflect the ideas and beliefs of religious, social, political, historical, and ethnic groups and their contribution to the American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgments;

To provide a written statement, approved by the local boards of education, of the procedures for meeting the challenge of censorship of materials in school library media centers; and

To provide qualified professional personnel to serve teachers and students.

—Adopted by the American Association of School Librarians Board of Directors and the American Library Association, 1969
APPENDIX B

Access to Resources and Services in the School Library Media Program: An Interpretation of the Library Bill of Rights

The school library media program plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem-solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library media program, the principles of the Library Bill of Rights apply equally to all libraries, including school library media programs.

School library media professionals assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School library media professionals work closely with teachers to integrate instructional activities in classroom units designed to prepare students to locate, evaluate, and use a broad range of ideas effectively. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School library media professionals cooperate with other individuals in building collections of resources appropriate to the developmental and maturity levels of students. These collections provide resources which support the curriculum and are consistent with the philosophy, goals, and objectives of the school district. Resources in school library media collections represent diverse points of view and current as well as historic issues.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library media program have access to resources and services free of constraints resulting from personal, partisan, or doctrinal disapproval. School library media professionals resist efforts by individuals to define what is appropriate for all students or teachers to read, view, or hear.

Major barriers between students and resources include: imposing age or grade level restrictions on the use of resources, limiting the use of interlibrary loan and access to electronic information, charging fees for information in specific formats, requiring permissions from parents or teachers, establishing restricted shelves or closed collections, and labeling. Policies, procedures, and rules related to the use of resources and services support free and open access to information.

The school board adopts policies that guarantee student access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community, provide a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. School library media professionals implement district policies and procedures in the school.

—Adopted by the Council of the American Library Association, 1986
NOTE

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