



STAFF REPORT ACTION REQUIRED

22.

Requests for Reconsideration of Library Materials – 2011 Annual Report

Date:	June 25, 2012
To:	Toronto Public Library Board
From:	City Librarian

SUMMARY

The purpose of this annual report to the Toronto Public Library Board is to provide a summary of the four requests for reconsideration received in 2011 (see Attachment 1), the process for responding to these requests, and to provide an overview of the Library Board's *Materials Selection Policy*. The policy is provided under Attachment 2.

The report also requests the Board's endorsement of the Ontario Library Association (OLA): *Statement on the Intellectual Rights of the Individual and Teen Rights in the Library* (see Attachment 3). The *Materials Selection Policy* currently endorses the Canadian Library Association (CLA) *Position Statement on Intellectual Freedom* and the OLA *Position Statement on Children's Rights in the Library*.

The Library Board's endorsement of these two additional OLA statements enhances the *Materials Selection Policy* by providing more detail about intellectual rights while at the same time reinforcing principles stated in the CLA statement about the *Canadian Charter of Rights and Freedoms*, the role of libraries in guaranteeing and facilitating intellectual freedom, and resisting efforts to limit intellectual freedom. OLA adopted its current statement about intellectual rights in 1998; it provides more detail about the formats of material public libraries make available including books, periodicals, films, recordings, other materials, and the provision of access to electronic sources of information, including access to the internet.

Teen's Rights in the Public Library was more recently adopted by OLA in 2010 and outlines teens' intellectual rights in the public library. As such, it is a companion document to the OLA *Position Statement on Children's Rights in the Library*.

The principles and practices guiding the Toronto Public Library's *Materials Selection Policy* are consistent with library systems around the world, whose collections all include a wide range of material that reflects the diversity and interests of the residents they serve.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. revises the *Materials Selection Policy* to reflect the Library Board's endorsement of the Ontario Library Association *Statement on the Intellectual Rights of the Individual, and Teen's Rights in the Public Library* as revised in Attachment 2; and
2. receives the *Requests for Reconsideration of Library Materials – 2011 Annual Report* for information.

FINANCIAL IMPACT

There is no financial impact arising from the information in this report.

The Director, Finance and Treasurer has reviewed this financial impact statement and is in agreement with it.

DECISION HISTORY

The *Materials Selection Policy* was established when the Library Board approved the policy at its June 26, 2000 meeting. Minor changes to clarify the policy were subsequently approved by the Library Board at its meeting on December 10, 2007.

ISSUE BACKGROUND

The Board-approved *Materials Selection Policy* provides the policy framework for all of the Library's collections. The policy has been in place since June 26, 2000 when the Board first established the policy parameters. The overall responsibility for selection of materials is vested to the City Librarian who delegates this professional activity to qualified and knowledgeable staff. The policy provides both guidance for staff when selecting material and provides the public with information about the principles upon which selection decisions are made.

The policy establishes a process for members of the public to identify concerns about books and other material in the Library's collections. These requests for reconsideration are considered within the context of the *Materials Selection Policy* and the principles of intellectual freedom, and are reported to the Library Board annually.

Library customers who object to materials in the Library's collections are asked to complete a written request for reconsideration of library materials. Request forms are available for this purpose at all branch locations.

The procedures for the reconsideration of library materials are intended to ensure that the customer's concerns are considered objectively, with sensitivity and in a timely manner.

Typically, complaints are received at the branch level. Staff have the opportunity to discuss concerns directly with the customer and provide a copy of the *Materials Selection Policy*. This discussion often addresses the customer's concerns and no further action is required. Customers wishing to pursue the complaint fill out a form detailing their concerns and this form is sent to the Collection Development Manager, who forwards it to the Materials Review Committee. A letter of acknowledgement is sent to the customer explaining the process.

The Materials Review Committee is a standing committee chaired by a Manager with a rotating membership made up of experienced public service librarians. They share a mixture of expertise on adult, teen and children's materials but may call in other experts, for example, subject or language specialists, as needed. The Committee researches the disputed title by considering factors such as reviews, the author's reputation, coverage of the subject in the collection, its popularity, and historical importance, all within the context of the *Materials Selection Policy*. The decision on the disposition of the item is communicated in writing to the customer by the City Librarian.

COMMENTS

Materials Selection Policy

The *Materials Selection Policy* is informed by the Library's Mission Statement described in part as providing "universal access to a broad range of human knowledge, experience, information and ideas..."

As the *Materials Selection Policy* states, the Library selects:

- *contemporary materials representing varying points of view and which are of current interest and possible future significance, including materials which reflect current trends, conditions and controversies....*
- *materials that inform and increase an individual's ability to function effectively as a member of society....*
- *materials that entertain and may enhance an individual's enjoyment of life.*

The *Materials Selection Policy* guides the development of Library collections in the following areas:

- customer access to collections;
- guidelines and criteria for the selection of materials;
- introduction of new formats to the collection;
- de-selection or weeding of materials;
- exclusions from selection;
- gifts and donations;
- customer requests;
- reconsideration of materials.

The scope of the policy includes all formats including print, non-print, audio visual and electronic materials, and indicates the Library will consider the introduction of new and emerging formats for the Library's collections.

The policy recognizes that collections need to be considered as a whole and that not everything collected is going to be important to everyone. Instead the Library strives to strike a balance between materials that are for recreational and entertainment purposes with those that are educational and informational, always providing a broad range of material reflecting a wide diversity of interests including those which may be unpopular or unorthodox in the broader community.

There are three foundational principles reflected in the *Materials Selection Policy*:

- **Diversity** -- Collections are built to reflect the diversity of interests, ages, languages, backgrounds and reading abilities of the people of Toronto.
- **Responsiveness** – The Library is committed to ensuring that collections are balanced and developed through responsive, open and informed processes.
- **Intellectual Freedom** – The Library supports intellectual freedom by building collections that make available the widest variety of materials.

Based on these principles, the Library serves all audiences and age groups; it collects in multiple formats such as books, ebooks, large print books, mass market paperbacks, CDs, videos, audio books, magazines, newspapers, mixed media sets; and it actively budgets for new materials in about 40 different languages in each year.

The policy recognizes that some selections will be controversial and that this is fundamental to supporting intellectual freedom. Intellectual freedom is an essential democratic principle and is guaranteed under the *Canadian Charter of Rights and Freedoms*. Intellectual freedom is about individuals making personal choices. Individuals and groups cannot make these choices for others. Defending intellectual freedom can be uncomfortable at times because publications can contain content that is controversial and challenge community standards.

The policy states:

The Library believes that a vital society encourages members of its community to actively participate in an open exchange of ideas and opinions. Material selectors consequently strive to provide the widest possible range of resources within Toronto Public Library collections.

The content or manner of expressing ideas in material that is purposely selected to fill the needs of some library users, may, on occasion, be considered to be offensive by other library users. The library recognizes the right of any individual or group to reject library material for personal use, but does not accord to any individual or group the right to restrict the freedom of others to make use of that same material.

The Library's commitment to ensuring intellectual freedom is further demonstrated by the Library Board's endorsement of the Canadian Library Association's 1985 *Position Statement on the Intellectual Freedom*. It is reinforced by the Library Board's recognition, in establishing this *Materials Selection Policy*, of Section 2(b) of the

Canadian Charter of Rights and Freedoms which guarantees everyone the freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication.

This report requests the Board to endorse the Ontario Library Association (OLA) *Statement on the Intellectual Rights of the Individual* that was adopted by OLA in 1998, and OLA's *Teen's Rights in the Public Library* (see Attachment 3). The Library Board's endorsement of the OLA statements enhances the *Materials Selection Policy* by providing more detail about intellectual rights while at the same time reinforcing principles stated in the CLA statement about the *Canadian Charter of Rights and Freedoms*, the role of libraries in guaranteeing and facilitating intellectual freedom, and resisting efforts to limit intellectual freedom. The OLA statement provides more detail about the formats of material public libraries make available including books, periodicals, films, recordings, other materials, and the provision of access to electronic sources of information, including access to the internet.

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Requests for Reconsideration of Library Materials

Challenges to titles in the Library's collections received by the Materials Review Committee in 2011 and the actions taken by the Library are listed in Attachment 1.

There were complaints about four titles, all in English. Two were books, one adult and one children's; two were DVDs, one adult and one children's. The adult book and DVD were retained in the collection and the children's book and DVD were withdrawn.

In general, the volume of complaints received relative to the population served is very low, reflecting the Toronto public's appreciation of the breadth of TPL's collection and its understanding of the application of intellectual freedom in a public library setting.

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SIGNATURE

Jane Pyper
City Librarian

ATTACHMENTS

- Attachment 1: Reconsideration of Library Materials Summary – 2011
- Attachment 2: Materials Selection Policy
- Attachment 3: Ontario Library Association *Statement on the Intellectual Rights of the Individual and Teen's Rights in the Public Library*