

CHALLENGED MATERIALS

An Interpretation of the *Library Bill of Rights*

The American Library Association declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined [written policy for collection development that includes a procedure for review of challenged materials. Selection of online resources for the library's website should also be governed by this collection development policy and be subject to the same procedures for review of challenged materials. This policy reflects the *Library Bill of Rights*, and is approved by the appropriate governing authority.] ~~materials selection policy in written form that reflects the Library Bill of Rights, and that is approved by the appropriate governing authority.~~

Challenged materials that meet the criteria for selection ~~in the materials selection policy of the library should not be removed under any legal or extra-legal pressure~~ [and inclusion within the collection should not be removed from the library's collections.] The *Library Bill of Rights* states in Article I that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," and in Article II, that "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Freedom of expression is protected by the Constitution of the United States, but constitutionally protected expression is often separated from unprotected expression only by a dim and uncertain line. The Constitution requires a procedure designed to focus searchingly on challenged expression before it can be suppressed. An [administrative] ~~adversary~~ hearing is a part of this procedure.

Therefore, any attempt, be it legal or extra-legal,* to regulate or suppress materials in libraries must be closely scrutinized to the end that protected expression is not abridged.

Adopted June 25, 1971; amended July 1, 1981; amended January 10, 1990, by the ALA Council.

[**Extra-legal*" refers to actions that are not regulated or sanctioned by law." These can include attempts to remove or suppress materials by library staff and library board members that circumvent the library's collection development policy, or actions taken by elected officials or library board members outside the established legal process for making legislative or board decisions. "Legal process" includes challenges to library materials initiated and conducted pursuant to the library's collection development policy, actions taken by legislative bodies or library boards during official sessions or meetings, or litigation undertaken in courts of law with jurisdiction over the library and the library's governing body.]