



## **CHALLENGED MATERIALS AND RECONSIDERATION POLICY**

*Adopted February 13, 2020, Reviewed April 13, 2023*

Materials in the Library's collection are selected under the guidelines established in the Library's "Collection Development Policy" which states that the Library Director and Circulation Manager are responsible for the selection of library materials and, under her/his direction, this responsibility may be delegated to staff who are qualified for this activity by reason of education, training, and experience.

The Library recognizes that there will from time to time be citizen complaints or concerns about a specific title or type of material selected for or deselected (weeded) from the collection. When a complaint is made, the Library must ensure that the complaint is handled seriously and, equally important, that the fundamental principles of intellectual freedom are upheld.

Steps in the Request for Reconsideration procedure, detailed below, must be followed (in the order elaborated) by citizens when challenging materials and by the Library staff, Director, and Board of Trustees when reconsidering challenged materials and rendering a decision about these materials.

The procedure detailed below addresses challenges to materials where the goal is to remove the material from the Library's collection or to otherwise limit access to the material. Although not specifically addressed, the same procedures apply to challenges in which the goal is to add the material to the Library's collection or to limit the Library's ability to weed the collection. This policy and its procedures apply to any and all challenges to the Library's collection.

### **Initiation of Requests for Reconsideration**

Individuals or groups may initiate complaints about specific titles or types of materials in the Library's collection by talking to or writing to any member of the staff, the Director, or a member of the Board of Trustees. At this point, such communications are considered informal complaints. The appropriate response to an informal complaint is for the staff, Director, or Board member to offer the complainant a Request for Reconsideration Form (appended to this policy). In addition, the rationale for having a formal complaint procedure should be explained. No further action is to be taken by staff, the Director, or a member of the Board of Trustees unless and until a Request for Reconsideration is made in writing on the appropriate form and the completed form is returned to the Library Director. Additionally, no further action can be taken unless and until the complainant returns the challenged material, if it is checked out to the complainant.



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### **Acknowledgement of Receipt of Request for Reconsideration**

Once a complaint is received in writing on the Request for Reconsideration form, it is acknowledged promptly by the Library Director. The complainant is written a letter which describes the Library's procedure and the time it will take to reconsider the material thoroughly. Copies of this policy and the Library's "Collection Development Policy" are sent to the complainant as enclosures to the letter.

### **Board Notification**

The Library Board shall be notified by the Library Director in a timely fashion that a formal complaint has been made. Usually such notification will be done through the monthly Director's Report.

### **Director's Evaluation of Challenged Material**

The Library Director then evaluates the challenged material. Once the Library Director reaches a decision he or she writes a letter to the complainant who states his or her decision and the reasoning behind the decision. This letter also outlines the steps the complainant must take to bring the matter to the attention of the Library Board of Trustees, if the complainant remains unsatisfied.

### **Reconsideration by the Board**

If still not satisfied, the complainant may choose to bring the matter to the attention of the Wilberg Memorial Public Library Board of Trustees.

This action may be taken only after receiving a written decision from the Library Director. To initiate Board consideration, the complainant should write to the Library Director or President of the Board and request that the matter be placed on the agenda of the next regular meeting. The letter must be received at least ten (10) days prior to the next regular meeting of the Board. If received after that time, the matter will be deferred automatically until the succeeding regular meeting. The Library Director or Board President shall acknowledge receipt of the letter from the complainant in writing, and shall include in the acknowledgement the schedule of Board meetings at which the matter will be considered.

Once the Request for Reconsideration is on the agenda, the Board shall decide by a majority vote of the members present whether it wishes to consider further the Request for Reconsideration.

If the Board votes to consider the matter further, an ad hoc review panel is selected to evaluate the challenged material, a public hearing date is set, and the matter is placed on the agenda for the next regular meeting of the Board. If the challenged material is lengthy, the



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matter may be postponed one regular meeting. The challenged material is recalled from circulation and is not available for use by other patrons to allow members of the ad hoc committee time to evaluate it.

If the Board does not vote to consider the request further, the matter is ended and the complainant will be notified by letter.

### **Ad Hoc Review Panel**

The Library Board president shall appoint an ad hoc committee comprised of three (3) Library Board of Trustees; none of whom posed the challenge, is related to the challenger, or is affiliated with the organization bringing the challenge; to review the request with the director and to present findings to the full Library Board of Trustees. Members of this panel weigh several factors when reconsidering challenged materials: they read, listen to, or view the material in its entirety; they look at the material in relationship to the Library's "Collection Development Policy" and to the rest of the collection; in addition, they look at what literary critics and reviewers think of the material.

After coming to individual conclusions about the challenged material, each member of the panel completes a Board Evaluation of Challenged Material Form (appended to this policy). Each recommends one of several actions to the Library Board of Trustees: to retain the challenged material in the collection; to retain the challenged material but to move it to another location in the collection; to withdraw the challenged material. These recommendations are made with reference to the fundamental principles of intellectual freedom.

The panel's completed Board Evaluation of Challenged Material Forms will be included in the packet for the meeting at which the final decision on the material will be made. They must be returned to the Library Director no later than ten (10) days prior to the meeting date.

### **Public Hearing**

The public hearing on the Request for Reconsideration may be held as part of a regular Board meeting or may be held as a special meeting set for that purpose only. In addition to noticing the public hearing, the Library Director will issue a news release to inform citizens of the date, time and nature of the public hearing.

The President of the Library Board of Trustees shall chair the public hearing. In the President's absence, the Vice-President will assume this responsibility. After calling the meeting to order, the Chair should review the procedures to be followed at the meeting, and the process followed up to this point for reconsideration of the material. The Library Board



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should announce at the beginning of the hearing that it will issue its decision at the next regularly scheduled meeting, and that the hearing is simply to hear all sides of the issue.

Citizens wishing to make comments shall sign in and register on which side they will be speaking. Speakers should be allowed to speak in the order they signed in. The President of the Board shall decide whether to set time limits. If these are set, a timekeeper shall be appointed and each speaker shall be limited to a specific amount of time. No participant shall be allowed to speak a second time until everyone registered has been heard once.

Seating will be provided for the public at the hearing. Speakers and other members of the public shall sit and speak from an area designated for that purpose. Members of the press are required to remain in the public seating area throughout the hearing.

### **Board's Decision on Challenged Material**

Having voted to consider the matter further and having placed the matter on the agenda, final action on the disposition of the challenged material is taken at the next regular meeting of the Board (unless the challenged material is lengthy, in which case the matter may be postponed one regular meeting). The Board's final decision is announced publicly at this meeting. A majority vote of the full Board shall be required to remove materials from the Library's collection, to move materials from one collection to another, or to otherwise restrict access to materials. All Board decisions on the matter are final.

Whatever the Board's decision, the principles of the Library Bill of Rights should be reiterated and that the decision is in accordance with those principles. A very brief statement of the reason for the decision should also be made; e.g., "We have concluded that the material meets our selection criteria, and will be retained without restriction."

*The following forms are part of this policy:*

*Request for Reconsideration of Library Materials Form*

*Board Evaluation of Challenged Materials Form*

*Library Bill of Rights*

*Freedom to Read Statement*

*Freedom to View Statement*

*WMPL Resolution Against Book Bans*

**END OF POLICY**



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### **Appendix F: Board Evaluation of Challenged Materials**

Title:

Author:

Publisher:

Date of Publication:

Complainant:

Date of Challenge:

Having read, viewed, or listened to the material in its entirety, examined critical reviews of the material, and heard the Director's reasoning with respect to the material, we recommend:

- retain the challenged material in the collection
- retain the challenged material but move it to another location in the collection
- withdraw the challenged material
- other (specify)

Our reasons for the recommendation given above are as follows:

Signature (Board Representative):

Date:

Submit completed form to the Library Director of the Wilberg Memorial Public Library of Osceola



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### **Appendix A: 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, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.



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### **Appendix B: 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 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





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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.*





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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 any expression 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.



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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 ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

American Library Association  
Association of American Publishers

*Subsequently endorsed by:*

American Booksellers for Free Expression  
The Association of American University Presses  
The 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



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### **Appendix C: Freedom to View**

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 film, 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 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 AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

**Endorsed January 10, 1990, by the ALA Council**



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### **Appendix D: Wilberg Memorial Public Library Resolution Against Book Bans**

**WHEREAS**, reading is a foundational skill, critical to future learning and to exercising our democratic freedoms; and

**WHEREAS**, libraries provide access to books that offer teachable moments for readers of all ages and expand our understanding of people with different backgrounds, ideas, and beliefs; and

**WHEREAS**, books are tools for understanding complex issues; and

**WHEREAS**, limiting people's access to books does not protect them from life's complex and challenging issues; and

**WHEREAS**, all people deserve to see themselves reflected in a library's collection; and

**WHEREAS**, librarians are professionals trained to not impose their own thoughts and opinions on which ideas are right, but to make knowledge and ideas available so that people have the freedom to choose what to read; and

**WHEREAS**, removing and banning books from public libraries is a slippery slope to government censorship and the erosion of our country's commitment to freedom of expression; and

**WHEREAS**, a large majority of Americans across the political spectrum oppose book bans; and

**WHEREAS**, book bans harm communities; then

**THEREFORE, BE IT RESOLVED** that the Trustees of the Wilberg Memorial Public Library of Osceola, WI endorse the following statement:

*Individuals should be trusted to make their own decisions about what they read and believe. Further, no one should make decisions for other parents' or guardians' children about what they read.*

*We, the Trustees, are united against book bans.*

**THEREFORE, BE IT FURTHER RESOLVED** that the Wilberg Memorial Public Library Board of Trustees will act to protect the rights of everyone to access a variety of books and materials in libraries and online.



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**Appendix E: Request for Material Review/Reconsideration**

The Library is committed to the fundamental rights of all people to read, access materials, resources, and other media services. The Trustees of the Wilberg Memorial Public Library have established a procedure for gathering input about items owned by the library. Completion of this form is the first step in that procedure. If you wish to make a statement of concern or request review of a library resource, please return the completed form to the Library Director in the supplied envelope.

Material being challenged **must be read or viewed in full**. Please use additional paper and refer to question numbers to fully complete this form.

**If the form is incomplete or unsigned by the petitioner, the review/reconsideration process cannot proceed. Only one form from a household will be accepted at a time.**

Name (print): \_\_\_\_\_ Your Age: \_\_\_\_\_

Address \_\_\_\_\_

Zip code \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Who do you represent?

My Self       Organization      Name of Organization: \_\_\_\_\_

Type of material being addressed:

Book       Audio Book       DVD

Magazine       Newspaper

Other: \_\_\_\_\_

Title: \_\_\_\_\_

Author /Producer: \_\_\_\_\_

Year of Publication: \_\_\_\_\_

Please explain your concerns by answering the following questions:

1. Did you read/listen to/view this entire item? Yes \_\_\_\_ / No \_\_\_\_\*



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\*For "No" responses, no further action is needed. If the entire material has not been reviewed by the petitioner, the review/reconsideration process cannot proceed.

2. If "yes," please explain how you learned about this material?
  
  
  
  
  
  
  
  
  
  
  
3. Explain the purpose of this material.
  
  
  
  
  
  
  
  
  
  
  
4. What positive qualities does the material present?
  
  
  
  
  
  
  
  
  
  
  
5. What are your concerns about this material? Provide supporting citations and quotations.
  
  
  
  
  
  
  
  
  
  
  
6. How has the material been assessed in professional review sources? Provide supporting citations and quotations.



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7. Provide professional citations in support of your objections.
  
  
  
  
  
  
  
  
  
  
8. Explain how the material fails to meet Intellectual Freedom standards.
  
  
  
  
  
  
  
  
  
  
9. Who would be negatively impacted by this material and how? Provide supporting evidence and citations (required).
  
  
  
  
  
  
  
  
  
  
10. What is your desired action for this material?
  
  
  
  
  
  
  
  
  
  
11. If removed, with what would you replace this material? Include titles and professional reviews of your suggested replacement material.





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The library material under review shall remain in place and accessible throughout the entire review process.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If the form is incomplete or unsigned by the petitioner, the review/reconsideration process cannot proceed. Only one form from a household will be accepted at a time. Return completed form in the provided envelope to the library director of the Wilberg Memorial Public Library of Osceola.**