

Freedom to Read Act

Collection Development Policy Compliance Checklist

This document will help public libraries become compliant with the New Jersey Freedom to Read Act. New Jersey State Library staff will provide technical assistance to libraries in developing Collection Development and Materials Reconsideration policies, and a Request for Reconsideration form.

New Jersey's Freedom to Read Act prohibits censorship of library materials and provides certain protections to library workers in collection development and maintenance. It supports the right of individuals to free inquiry and the right to form their own opinions. It acknowledges the training and education that librarians receive to develop and curate collections.

Does the Collection Development policy reflect the following principles?

The purpose of the policy is to provide standards for the curation of library material; establish criteria for removal of existing library material or library material selected for inclusion in the public library; and provide protection against attempts to censor library material.

Recognize and acknowledge that:

- Public libraries serve as centers for voluntary inquiry and the dissemination of ideas;
- Library materials should be provided for the interest, information, [and] enlightenment of all people and should present diverse points of the view in the collection as a whole; and,
- Librarians are professionally trained to curate and develop collections that provide residents with access to the widest array of library material available to the public.
- Library material shall not be removed from a public library because of the origin, background, or views of the library materials or those contributing to its creation.

Does the Collection Development policy include the following definitions?

- **Diverse and inclusive material.** Means material that reflects any protected class as enumerated in the "Law Against Discrimination," P.L. 1945, c 169 (c.10:5-1 et seq); material produced by an author who is a member of a protected class as enumerated in the "Law Against Discrimination," P.L. 1945, c 169 (c.10:5-1 et seq); and material that contains the author's points of view concerning contemporary problems and issues, whether international, national, or local.



- **Governing body.** Means a board of trustees, director or other chief administrative officer, a county library commission, or board of county commissioners of a public library.
- **Individual with a vested interest.** Any resident who is served by the public library or residents in a county or municipality where the library is situated.
- **Library material.** Means any material, including, but not limited to, nonfiction and fiction books; magazines; reference books; supplementary titles; multimedia and digital material; software and instructional material, belonging to, on loan to, or otherwise in the custody of a public library.

Does the Collection Development policy reflect the following material review procedures?

A librarian must review library material within a public library on an ongoing basis. Criteria for ongoing review must include, but is not limited to, the:

- library material's relevance;
- condition of the library material;
- availability of duplicates;
- availability of more recent material; and,
- continued demand for the library material.

Request for Reconsideration Policy and Form Compliance Checklist

Does the Request for Removal policy reflect the following purpose?

The purpose of the policy is to provide standards for the curation of library material; establish criteria for removal of existing library material or library material selected for inclusion in the public library; and provide protection against attempts to censor library material.

Does the Request for Removal policy include the following definitions?

- **Governing body.** Means a board of trustees, director or other chief administrative officer, a county library commission, or board of county commissioners of a public library.
- **Individual with a vested interest.** Any resident who is served by the public library or residents in a county or municipality where the library is situated.
- **Library material.** Means any material, including, but not limited to, nonfiction and fiction books; magazines; reference books; supplementary titles; multimedia and digital material; software and instructional material, belonging to, on loan to, or otherwise in the custody of a public library.

Does the Request for Removal policy include the following procedures?

The **public library governing body** must create a request for removal form based on the **model** removal form established by the State Librarian; and

- Appoint a review committee as defined in this policy
- Review the committee's report and make a final determination on whether the material is to be removed from the public library or limited in use. The governing body shall provide a written statement of reasons for:
 - Removal, limitation or non-removal of a library material; and
 - Any final determination that is contrary to the recommendations of the review committee; and
 - Provide that the library material that has been shall not be subject to a subsequent challenge for at least one year.

The governing body will appoint a **Review Committee** consisting of:

- At least one member of the governing body.
- A librarian employed by the library.
- A representative selected by the governing body.
- A resident serviced by the public library, provided the resident selected is not the individual who submitted the form.

- Any additional members the governing body deems necessary.

The **review committee** must:

- Review the challenged materials.
- Report in writing its recommendations to the governing body on whether to remove the library material within 30 days from the date of receiving the form.
- Provide a copy of the report to the individual with the vested interest who filed the form.

The **Governing body's** response must discuss reasons for:

- Removal, limitation or non-removal of a library material.
- Any final determination that is contrary to the recommendations of the review committee.
- Provide that the library material that has been challenged shall not be subject to a subsequent challenge for at least one year.

Does the library offer a Request for Reconsideration form?

Does the Request for Reconsideration form include the same information as the State Librarian's Model Form? 