

Dealing with Complaints About Library Materials

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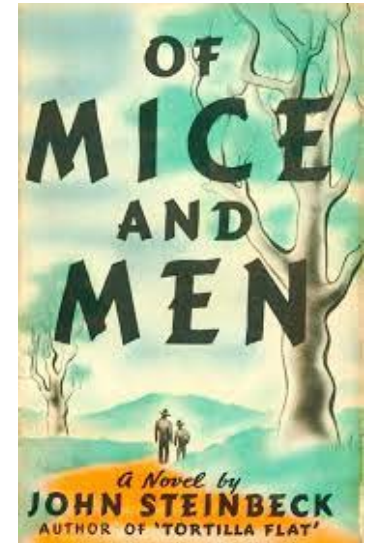
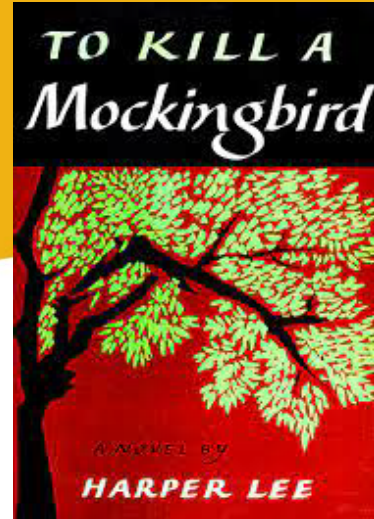
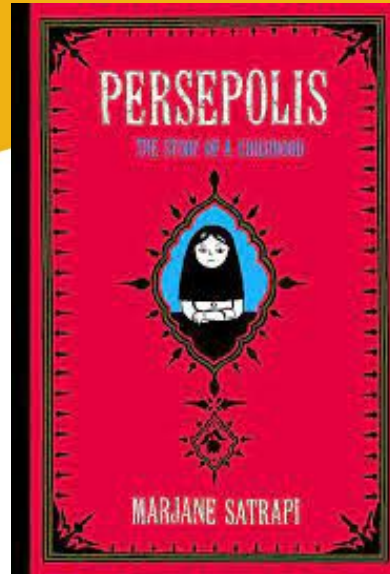
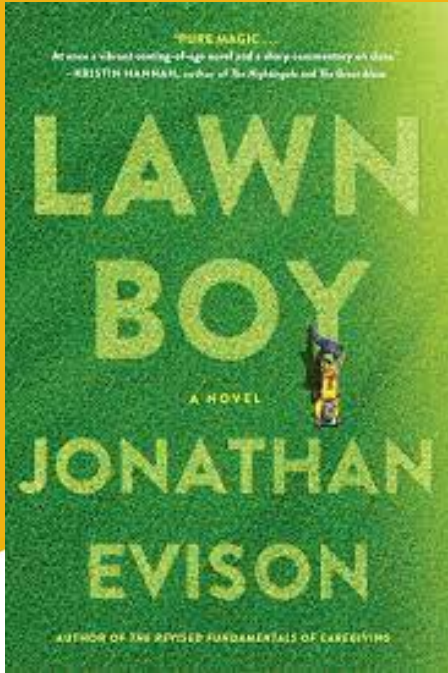
Why we build diverse collections

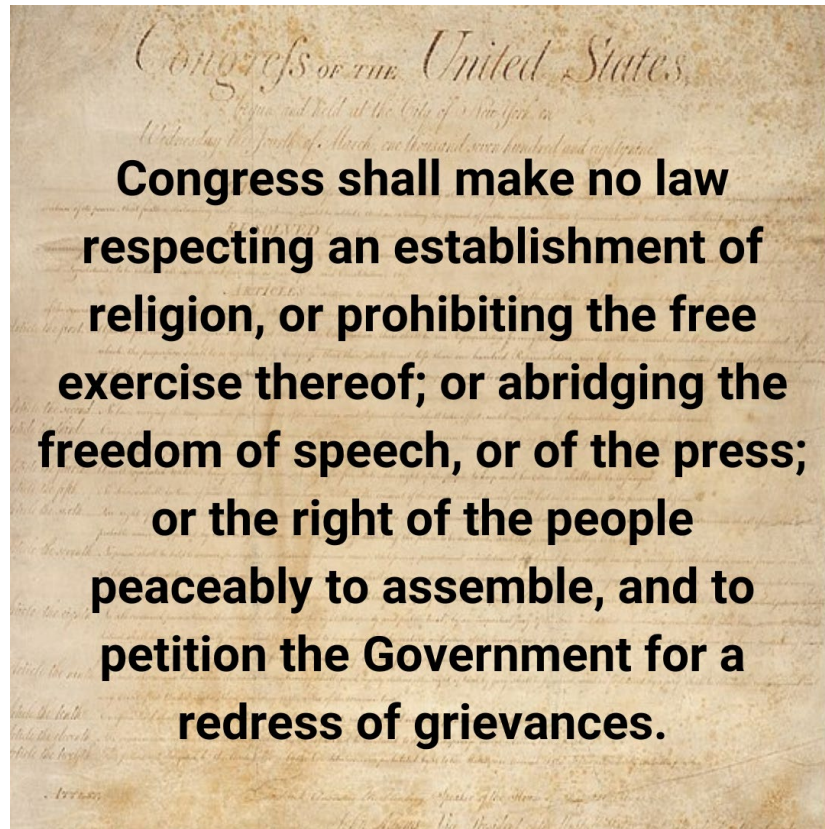
- Stories are important to people's lives
- Each person reads a book in their own way
- At different times in their lives, people will want/need to read different books
- Reading/viewing/listening is the library's brand

What will the next complaint be?

You never know what is going to cause a library user to complain about something in the collection.

Most challenged titles list includes:





The First Amendment

ALA Code of Ethics

- We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.

<https://www.ala.org/tools/ethics>

Library Bill of Rights

- 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.
- 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.


Foundation of Selecting Materials

- Follows the principles outlined in the collection development policy
- Based on the needs and interests of the community
- Political awareness is important

Why Build Diverse Collections?

- Diverse collections present all perspectives in our community
- But not everyone wants to see or is comfortable with that

A good library has
something to offend
everyone



A better way
to think
about this

A good library has
something to
affirm everyone

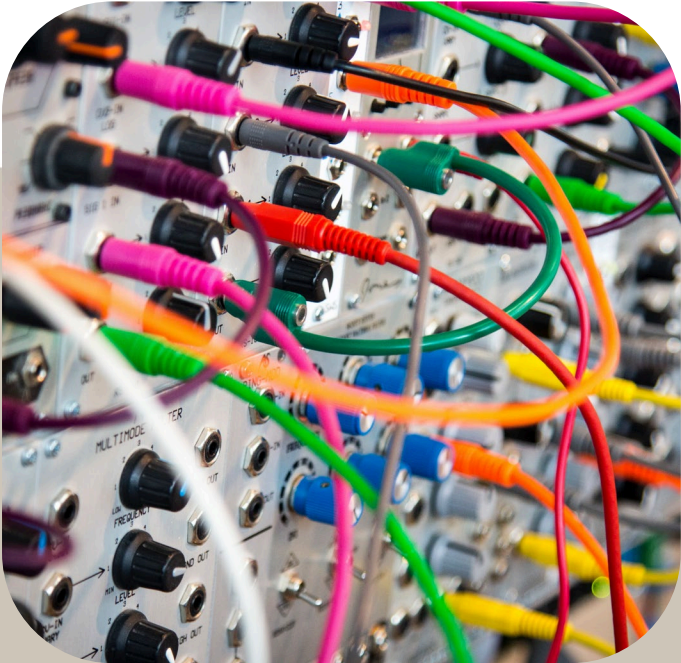
Getting ready for the complaint



Be Prepared

- Less reactive
- Reflect the organizational culture
- Present a consistent response

Build Relationships



• Who are the gatekeepers?

- Religious leaders
- Schools
- Local government
- Civic organizations
- Local media



Develop policies & procedures

What you need to be ready

- Institutional culture of intellectual freedom and freedom to read
- Trained staff
- Collection management policy
- Reconsideration process

Collection Policy

- Reinforces the library's commitment to intellectual freedom
- Makes it clear what you are adding to the collection and why
- Confirms that the collection reflects the library's values
- Builds consistency in practice
- Lays out procedures for users to share concerns

<https://www.ala.org/tools/challengesupport/selectionpolicytoolkit/why>

Creating a Collection Management Policy

- **Introduction**

- Lays out the library's commitment to intellectual freedom
- Reinforces that the library selects materials for the entire community it serves

- **Why we build our collection**

- Ties collection work to strategic plan
- Some possible “whys”
 - Support lifelong learning
 - Provide materials for a diverse community

Creating a Collection Management Policy

- **Procedures**

- Who does the selecting?
 - Centralized or decentralized
- What are the criteria for adding materials?
 - Collecting and assessing community needs and interests
 - Reviews
 - Formats
 - Handling requests
 - Handling donations
- Reconsideration process

Creating a Collection Management Policy

- **Procedures**

- Maintaining the collection
 - Who does the weeding?
 - Weeding guidelines
 - Age
 - Condition
 - Use
 - What happens to weeded materials?

Handling Complaints

- Stay calm
- Use active listening
- Paraphrase their concerns
- Don't argue
- Ask what solution they are seeking
- Thank them
- NOTIFY YOUR BOSS!

Types of Complaints

- **Informal**
 - Happen at any public service point
 - May be initially handled by any staff member
- **Formal**
 - May flow out of an informal complaint
 - Handled through the library's process

Informal Complaints

- Acknowledge the user's concerns
- Don't make any promises
- Offer to help the user find something that is to their liking
- Empathize
- Don't argue (it's not an educable moment)

Closing the conversation

- Thank the user for sharing their concerns
- Reiterate that they are always welcome to do so
- Offer once more to help them find something of interest
- **NOTIFY YOUR BOSS!!**

Talking to Undecideds



- **Government Over-reach**
- **Taxation without Representation**
- **Parental Decisions**
- **All Sides Now**

Formal Complaints

- **Often arise when a user is unhappy with the response to an informal complaint**
- **“A formal reconsideration request is a written document that is usually reviewed by an assigned library staff member or committee”**

<https://www.ala.org/tools/challengesupport/selectionpolicytoolkit/formalreconsideration>

Reconsideration Process

- User receives the reconsideration form
- When the form is returned it goes to designated responder at the library
- A formal response is crafted and sent to the user
- There may be an appeal process

Reconsideration Form

- User information
 - Is the person challenging as an individual or part of a group?
 - Contact information (no anonymous challenges)
- Item information
 - Title and author
 - Format

Reconsideration Form

- Specific questions:
 - What brought the item to the user's attention?
 - Have they examined the entire resource? If not, what sections did they review?
 - What concerns them about the resource?
 - Are there resource(s) they suggest to provide additional information or other viewpoints on this topic?
 - What action are they requesting the library take?

Responding to the Form

- Reiteration of library's commitment to diverse collections and the Library Bill of Rights
- Why this item was added to the collection
- Any reviews and awards
- Information on use of the item at the library
- Decision
- Thanks to the user for sharing their concern
- Indication of willingness to discuss further if desired

Formal Reconsideration Musts

- Notify the library board
- Notify other governing agencies (funding bodies, etc.)
- Keep the process transparent
 - Make sure that the user knows what is going to happen with the complaint
- Keep staff informed

Educate your Board

- It is essential that the Library Board understands the library's commitment to intellectual freedom
 - Share the Library Bill of Rights and Code of Ethics with them and review annually
 - Keep board apprised of the cultural climate around Intellectual Freedom
 - Review policies regularly
 - Regular board training on IF issues and procedures
- What is the role of the board?
 - Do they participate in the reconsideration process?

Public Comment Periods

- **Be sure to check on local regulations and laws regarding open meetings before putting procedures in place**
- **Some possible procedural tools:**
 - Require registration to comment whether in-person or virtual
 - This includes name and affiliation if part of a group
 - Set a sign up deadline, e.g. 24 hours in advance of the meeting or by a designated time prior to the meeting
 - As with challenges, you can consider requiring commenters to be community members
 - Limit the overall public comment period
 - Limit individual comment time
 - Limit comments to matters directly related to the library
 - The library's rules on patron behavior are as applicable here as they are in any other library situation

Working with the Media

- **Speak with one voice**
 - Library director or communications officer
 - Staff should refer media calls to the appropriate person
- **Know your three messages and build talking points around them and don't stray**
- **Don't overreact**
 - Responding quickly can lead to more bad press than taking a more measured approach
- **Correct facts but don't argue in the media**
- **It is ok to say "I will have to get back to you on that"**
- **Make sure that social media staff have PR training**
- **Don't change your story**

<https://www.ala.org/tools/challengesupport/media>

Organized Complaints

- **May come from community group**
- **Or an individual with a list of titles from a group they belong to**
- **Or some larger group not in your community**



Dealing with Organized Materials Challenges

- **Always follow your procedures**
- **Develop your support networks ahead of time**

Some Procedural Options

- **Limit ability to challenge to library cardholders**
- **Limit the number of active challenges a user may have**
- **Limit the number of times a book can be challenged (once every 5 years)**
- **Group together challenges of the same title to deal with as one (but it counts against each person's challenge limits)**

Getting Ready for Complaints

- Affirm the value of diverse collections
- Know how that fits your mission and values
- Build relationships
- Develop policies and procedures (and follow them)
- Talk with all library staff about handling complaints
- **NOTIFY YOUR BOSS!**

Legal Landscape

Book Challenges & the Law

- Viewpoint Discrimination
 - *Rosenberger v. Rector and Visitors of Univ. of Virginia*, 515 U.S. 819, 829 (1995)
 - *Board of Education v. Pico*, 457 U.S. 852 (1982)
 - *Mainstream Loudoun v. Board of Trustees of Loudoun*, 2 F. Supp. 3d 783 (E.D. Va 1998)
 - *Sund v City of Wichita Falls*, 121 F. Supp. 2d (N.D. Tex. 2000)

Miller Test

Book Challenges & the Law

- Unprotected Categories of Speech
 - *Miller v. California*, 413 U.S. 15 (1973)

The United States Supreme Court has held that obscene material is not protected by the First Amendment. In determining whether material is obscene or not, a court must find that the material meets **all three parts of the test**:

1. Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law;
2. Whether the average person, applying *contemporary community standards* would find the work **as a whole** appeals to the prurient interest; and
3. Whether the work, **taken as a whole**, *lacks serious literary, artistic, political or scientific value.*

Pending Cases

- Llano Co, Tx
- Crawford Co, AR
- Pickens Co, SC
- Lake County, FL
- Escambia, FL

Resources to Know

- **ALA Office of Intellectual Freedom**
 - Resources on First Amendment and Censorship
 - <https://www.ala.org/aboutala/offices/oif>
- **American Association of School Librarians**
 - Resources for Book Challenges
 - <https://www.ala.org/aasl/about/challenges>

Questions?

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