

Same Fight, New Tactics

Public library directors offer tips for handling challenges

By Terra Dankowski (<https://americanlibrariesmagazine.org/authors/terra-dankowski/>) | January 31, 2023

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Amanda Vazquez (left), director at Dubuque County (Iowa) District Library, and Sukrit Goswami (right), director at Haverford Township (Pa.) Free Library, discuss how libraries can protect themselves from challenges at the American Library Association's 2023 LibLearnX conference in New Orleans on January 29.

Photo: Rebecca Lomax/*American Libraries*

Over the last two years, libraries across the country have faced an unprecedented wave of challenges and censorship attempts. And it's been exhausting.

"This is the obstacle we face—and money and time is not something libraries have a lot of," said Peter Coyl, director and CEO of Sacramento (Calif.) Public Library, at the American Library Association's (ALA) 2023 LibLearnX conference in New Orleans on January 29. "If you're experiencing lots of challenges, it's possible that it's something that's not organic," he said, noting that most challenges are orchestrated by well-funded, well-organized special interest groups.

How can public libraries better handle opposition in their communities? Here are 10 tips to prepare for challenges, shared by Coyl and his co-panelists at "Building a Practical Toolkit for Censorship and Challenges at Your Public Library."

Presenters noted that they are not attorneys and their suggestions should not be taken as legal advice. They recommend library workers consult the laws of their jurisdictions and seek legal counsel before taking action.

1) Familiarize yourself with case law. Amanda Vazquez, director at Dubuque County (Iowa) District Library (DCDL), recommended that libraries brush up on legal decisions that concern intellectual freedom. Some federal cases she recommended are *National Socialist Party of America v. Village of Skokie* (1977), *Island Trees School District v. Pico* (1982), and *Sund v. City of Wichita Falls* (2000). In the Pico case, for instance, Vazquez noted "students retain First Amendment rights even when they are at school."

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2w Daniel Liou and Kelly Deits Cutler write: "Books written by and about women and people of color are disproportionately targeted for complaints and removal. Due to mounting political pressures, harassment, and even death threats, some teachers and administrators have had to recalibrate their curriculum plans and determine if such texts will be viewed as unpatriotic, anti-police, pornographic, or anti-white. Through our research, we developed a *critical inclusivity framework* with five concurrent leadership practices to reclaim contested curriculum materials. This framework aims to prepare education leaders to handle ongoing book challenges and navigate the constant political pressures forcing schools to put curriculum about diversity, equity, inclusivity, and social justice



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2) Review and change your policies. Libraries should be auditing and adjusting their policies to protect themselves—and not just their collection development policy. For example, while meeting room policies can't discriminate based on viewpoint, "there are ways you can craft your policy to limit who can have access to your space," said Vazquez. She added: "We don't have a programming policy at our library, but that's something we are going to add this year."

3) Move away from request for reconsideration forms. DCDL has pivoted from a request for reconsideration form to a statement of concern form. "One of the things we suggest is changing the conversation around this challenge process," said Vazquez. She wants challenges to be less about the patron wanting to ban a book and more about the library talking to the patron about the book.

4) Consult an outsider. Does your public library have a reconsideration committee made up of the library's own staffers? "Consider [adding] someone who doesn't work at your library, maybe a school librarian," said Sukrit Goswami, director at Haverford Township (Pa.) Free Library (HTFL). This is helpful, Coyl added, because "you can overcome the objection that a cabal wanted to keep [a] book."

5) Place limits on challenges. Vazquez said you may be able to create certain rules about who can request reconsideration and which materials can be challenged. For example, you could require that people who want to challenge an item live in your service area or hold a library card. You could also limit the number of times a specific item can be challenged during a specific time period.

6) Train your staff and trustees. Make sure every staff member knows your challenge process and is comfortable enforcing it. Employees at HTFL use roleplay to prepare responses for these scenarios. "We are being proactive," said Goswami. Don't forget that trustees play a role in representing your library, too. "Community messaging is very important, so make sure [trustees] know you have a fair system in place," he said. Goswami recommends buying a [United for Libraries](https://www.ala.org/united/) membership so your board can access valuable training resources.

7) Try not to give disruptors what they want. [First Amendment audits](https://americanlibrariesmagazine.org/2022/01/03/uptick-in-first-amendment-audits-2/) are also growing in number. This is when someone goes into a library for the expressed purpose of taking photographs and video, which they often post or stream on social media, to test their constitutional rights. Library workers should remain calm and try to ignore the person if they aren't violating policy or harassing anyone, said Goswami: "These auditors are trying to receive a reaction from staff. If they don't react, these recordings are useless to them."

8) Find a First Amendment attorney. "You should have independent legal counsel that is not dependent on your city or county," said Vazquez. "[Your city or county attorney] probably has a much better relationship with your police department than they do with you," she pointed out. Don't wait until a challenge escalates; start looking for a First Amendment attorney now. Local ACLU chapters or bar associations may be able to recommend one. "Have them consult for you on something small so that you are their client," Vazquez said.

9) Meet your elected officials. Coyl recommends building relationships with local politicians by inviting them to the library and showing them how programs reflect a wide variety of users and align with census demographic data. "It's hard to have a relationship be built in the fire," he said. "This isn't just about censorship—this is [also] about tax funding and millages."

10) Create your own toolkit. Vazquez showed the audience a sample toolkit for administrators, which includes links to applicable federal and state laws, ALA documents, policies from other nearby libraries, important contacts, staff and trustee training materials, and other resources. "If you are collecting [information] as you go," she said, "it makes it less difficult."



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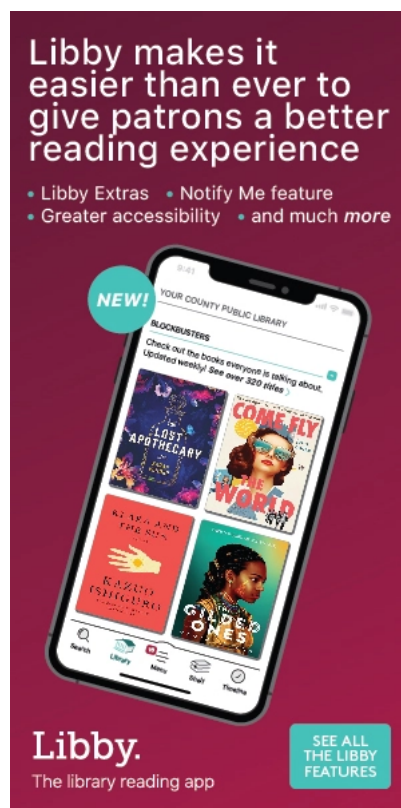
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