

Library Challenges Database: A New Project from the Centre for Freedom of Expression

By Sheri Kinney and Dianne Oberg

Abstract

Censorship challenges increase the importance of collection management policies in your school and school district, as illustrated by the recent experience of a B. C. teacher-librarian. If and when the censors come to your library (or classroom), access to a new Canadian resource, a censorship database being developed by the Centre for Free Expression at the Toronto Metropolitan University (formerly Ryerson University), will support efforts to responsibly address challenges. The database adds one more tool to other more traditional resources for school library collection management, such as an updated and approved policy that outlines a process for reconsideration of library and/or classroom materials; colleagues including school and district administrators and school board trustees who are knowledgeable about the principles of intellectual freedom; and teachers associations and school library associations with a commitment to intellectual freedom. The concept of intellectual freedom includes freedom of expression, the rights of children including the right to know.

Censorship Challenges on the Increase

Over the past few years, school libraries in Canada and the United States have been featured in the news because of efforts to censor or restrict access to library materials (and to classroom materials as well). Articles about censorship often appear in the library press (e.g., *School Library Journal*) and increasingly in local and national newspapers as well. Richard Beaudry, Chair of the Canadian Federation of Library Associations / Fédération canadienne des associations de bibliothèques (CFLA-FCAB) Intellectual Freedom Committee, representing Canadian School Libraries, commented in a recent blog post:

Recent news of challenges to books in school and public libraries remind us that book challenges are not uncommon in Canada and, in most cases, are dealt with by the library staff. When the public does hear about a book challenge in a school library learning commons, it is usually where the school policies were not followed, and the decision to remove the challenged item was carried out by school officials working outside the bounds of the book-challenge procedures. (2022)

Sheri's Story: Let's Talk About It: The Teen's Guide to Sex, Relationships, and Being a Human (a Graphic Novel)

During my 30 years as a teacher—20 as a teacher-librarian—I had never had a book questioned, so I was shocked to learn that the “call was coming from inside the house”. Just before winter break of last year, my library assistant brought a book to me asking: Had I seen it? Did I know it was so graphic? Who bought it? Who decides what is put on the shelves? I answered that I bought it and that I had seen it, and that it’s my job to decide what goes on the shelves. Noting her shock about the book, I said I would look at it again, reading it from cover to cover. I did that as well as taking it home for my 17-year-old daughter to read. (She wanted to know what the fuss was about.) I found it appropriate for my high school library. My daughter thought it was a little “cringe” but no big deal.

After the break, I gave the book back to the assistant, telling her that I would like her to finish the processing because I judged it to be sensitive, informational, and accurate after an in-depth read. She said she wasn’t certain and worried what the principal would think.

Naively, I was surprised when the principal approached me wanting to talk about the book. We chatted briefly, choosing a time to sit down and discuss the book and why I chose it. I immediately contacted two of my professors from the University of Alberta, where I had completed my Master’s degree in Curriculum and Pedagogy in Teacher Librarianship. Gail de Vos immediately found all the positive reviews and articles about the book, and Dianne Oberg offered support and pointed me to articles about “Freedom to Read” in Canada.

By the time I met with the principal, I had done research and organized my thoughts. After I shared with him my selection process and the glowing reviews about the book in question, he said he found the book too graphic. I told him that the book wasn’t for him—or me—and that it was actually a “little hero book” because of its inclusive nature, talking frankly about queer sex as well as heterosexual sex. We continued our conversation and talked about Freedom of Expression in the Canadian Charter of Rights and Freedoms, my duty and ethics as a teacher-librarian, and age-appropriate materials. I pointed out that it was ironic that this discussion was happening during Freedom to Read Week in Canada.

We ended the meeting with the principal still not being a fan of the book but understanding that I had followed my selection process and that the book was age-appropriate. We agreed that our district needed a written policy about challenges to materials, and I told him I would be bringing that issue to our local teacher-librarians’ association for discussion.

The book is on the shelves and will be one I display during Freedom to Read Week next year. And, although it wasn’t an entirely pleasant experience, I am grateful it happened the way it did because I discovered critical gaps in my practice: I had not put my selection policy in writing and I had no plan of action in case of challenges. I have since filled those gaps.

Thoughts About Responding to Censorship Challenges

As Beaudry points out, having a current and officially approved collection management policy that includes how to ethically deal with challenges to books and other materials provides a strong tool for meeting censorship challenges. Unfortunately, the policy will not be much help if it is ignored or sidestepped by the very people who have responsibility for its implementation, that is, teachers, teacher-librarians, school administrators, and school trustees.

However, the good news is that, in Canada, when school or district guidelines for reconsideration of controversial materials are followed, many challenged materials are retained, and when censorship cases are considered by the courts, the outcome is most often retention of materials.

Policy implementation is more likely when the policy is explicitly based on the fundamental principles of intellectual freedom, including freedom of expression rights, as outlined in documents such as the *Canadian Charter of Rights and Freedoms* (1982) and the United Nations *Convention on the Rights of the Child* (1989). [In this convention, “child” means from birth to age 18.] Canada ratified the convention in 1991. Article 13 of the *Convention on the Rights of the Child* states:

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; or (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

Freedom of Expression Rights for Students

The challenge of materials should be viewed as an important and valuable part of the democratic and educational process, but to my knowledge, no school or district guidelines for reconsideration of materials include a requirement for ensuring that students' freedom of expression rights be considered. School libraries are not alone in regards to this omission. Peavoy states that “the freedom of expression rights of students within the educational system have remained virtually unexplored in Canadian legal jurisprudence” (2004, p. 126).

As noted in an article written for the 2022 Freedom to Read Week,

recognizing students' freedom of expression rights would mean including the interests of the students who would be affected by the removal of challenged materials in the discussions and deliberations of the issue. For older students, a

child-centred approach to recognition of students' freedom of expression rights would mean that students' view about matters that affect them would be elicited and seriously considered. For younger students, a "best interests of the child" approach, similar to that invoked in Canadian courts, would ensure that their needs are considered. (Oberg, 2022)

CFE's Censorship Database Project

The Centre for Free Expression (CFE) at Toronto Metropolitan University (TMU, formerly Ryerson University) is "dedicated to freedom of expression and the public's right to know" (<https://cfe.ryerson.ca/>).

Genuine democracy, advancement of knowledge, individual self-development, and social justice depend on a society in which freedom of expression and the right to know are a reality for everyone. The Centre for Free Expression works to advance these rights through public education, advocacy, law reform, research, advisory services, policy analysis, assistance to courts, and organizational collaborations. (Homepage, <https://cfe.ryerson.ca/>)

CFE has undertaken a new project as part of its Promoting Libraries and Intellectual Freedom initiative: the CFE Library Challenges Database
<https://cfe.ryerson.ca/databases/library-challenges-database>

Dr. Jim Turk, from TMU, Director of the Centre for Free Expression, has provided this description of the project:

With the cooperation of major public libraries in Canada, CFE has developed a database for challenges faced by libraries in Canada. The Canadian Library Association (CLA) had undertaken such a project but it has been difficult to sustain by the Canadian Federation of Library Associations (CFLA) because of its limited resources and lack of staff. With the advice and assistance of the heads of key public libraries across the country and the assistance of a family foundation, the CFE has taken up the challenge to fill the gap with a database that will be useful to libraries, researchers, and the public.

Prior to launching the database this September, CFE populated it with the challenges received by the Toronto, Edmonton, Hamilton, Vancouver, and Milton public libraries. CFE is now reaching out to all other public libraries in Canada as well as school and academic libraries. The database will allow any library in the country faced with a challenge to see what other libraries have faced the same challenge, the background research they did to guide their response, and how they responded to the challenge. This will be especially helpful to mid-size and small libraries that do not have the staff to undertake their own detailed reviews of challenged material before responding. More generally, it will allow all libraries to see how others are dealing with challenges they are facing. The database will also be an invaluable tool for research. It will allow, for the first time in Canada, identification of the most challenged items each year as well as allow

detailed examination of the variation in the extent and nature of challenges across different parts of the country, by type of library, as well as changes historically.

For each challenge, the database will have three documents: [1] the complaint specifying the item being challenged and what the library is being requested to do, [2] details of the background research the library did in relation to the challenge, [3] the library's response to the challenge. Any information that could lead to identification of the complainant is redacted.

The items in the database are searchable by: [1] Title of the book, DVD, eBook, program, etc., [2] Name of the author, speaker, etc., [3] Reason for the challenge (e.g., antisemitic, racist, inappropriate for children), [4] Target audience (adult, teen, children), [5] Category of object being challenged (e.g., collection, program, display, space usage), [6] Nature of the item being challenged (e.g., book, e-book, DVD, audio book, graphic novel, magazine, speaker, library event, space usage), [7] Action requested, [8] Action taken, [9] Type of library (e.g., public, school, academic, government), [9] Name of library, [10] Year of challenge. There is a free search option as well. In addition, the database will include non-traditional challenges, such as protests against drag queen story time or other events.

The database is available in English and French. In each, however, the details about every challenge will be in the language of the library submitting the data. To make information about the database widely available to libraries, the CFE has been meeting with provincial library associations, the Canadian Urban Library Council/ Conseil de Bibliothèques Urbaines du Canada (CULC/CUBC) member libraries, CFLA, and individual libraries. It is also having discussions with provincial school library associations and Canadian School Libraries (CSL) about the most effective way to include school libraries, given many schools no longer have teacher-librarians and many school boards have no central official responsible for school libraries. Reaching out to school libraries will be a challenge. CFE wants advice from the school library community about the best way to approach school boards and school libraries to encourage them to join this project.

Please take the opportunity to explore the Library Challenges Database, which now has over 200 entries <https://cfe.ryerson.ca/databases/library-challenges-database> [English] and <https://cfe.ryerson.ca/databases/base-de-donnees-des-contestations-de-la-bibliotheque> [French]. In August 2022, Cheryl Trepanier joined the Centre for Free Expression staff as a Auerbach Family Foundation Intern working on the new CFE Library Challenges Database, and she would welcome hearing from you.

References

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