

# Findings

NORTH  
CAROLINA  
*Family*  
POLICY  
COUNCIL

Dedicated to the  
Preservation of the Family.

## The “Right” to Read *Should Intellectual Freedom Trump Parental Rights in Libraries?*

By Alysse ElHage



Two penguins in the zoo were a little bit different. . . Roy and Silo were both boys. But they did everything together. . .

Wherever Roy went, Silo went too. They didn't spend much time with the girl penguins, and the girl penguin didn't spend much time with them. Instead, Roy and Silo wound their necks around each other. Their keeper, Mr. Gramzay, noticed the two penguins and thought to himself, "They must be in love."

—excerpt from the children's book, *And Tango Makes Three*.<sup>1</sup>

In late 2006, the superintendent of Charlotte-Mecklenburg Schools (CMS), Peter Furman, ordered local elementary schools to remove the controversial children's book, *And Tango Makes Three*, from their collections after a county commissioner and several parents raised concerns about its pro-homosexual themes. Four elementary schools had the book at the time. When questions were raised about his actions in the media, Furman ordered a review committee to examine his decision and later reversed the order, returning the book to school library shelves.<sup>2</sup>

Written by Peter Parnell and Justin Richardson, *And Tango Makes Three* is based on the true story of "Roy" and "Silo," two male penguins at the Central Park Zoo, who—with the help of their zookeeper—hatched an adopted egg and "raised" a baby penguin named, "Tango," who "was the very first penguin in the zoo to have two daddies."<sup>3</sup> The book's defenders argue that it is simply a retelling of actual events. But missing

from the book is the final chapter of Roy and Silo's relationship—the penguins split up in 2005, when Silo met a female penguin named "Scrappy" and chose her for his mate.<sup>4</sup>

The controversy over *And Tango Makes Three* was not isolated to North Carolina. Similar challenges were reported in at least seven other states, making it the most challenged library book in the nation in 2006 and 2007, according to the American Library Association (ALA).<sup>5</sup> The ALA defended the book with its standard argument—that libraries have a constitutional responsibility to resist censorship and preserve the "right to read" for all Americans. *And Tango Makes Three* is a prime example of the type of material the ALA believes should be available to children at the local public library.

With roughly 9,000 public libraries and just over 82,000 public school libraries in the United States,<sup>6</sup> American citizens of every age have the freedom to access a wealth of information and perspectives, mainly free of charge and without restriction. But what happens when unencumbered intellectual freedom threatens to steal the innocence of childhood and/or invade the domain of family values? At what point should the "right to read" be curtailed to protect children from objectionable material and the rights of their parents to direct their upbringing? The ALA's answers to these questions should alarm parents about the safety of libraries in their communities.

### The ALA's Influence

Founded in 1876, the ALA describes itself as "the voice of America's

libraries," and "the oldest, largest and most influential library association in the world."<sup>7</sup> Although it is not a government or legal entity, the ALA wields an enormous amount of control over the library industry nationwide through the training of librarians, the accreditation of university library graduate programs, and its advocacy work at the national legislative level. In addition, the ALA grants over 100 book awards, including the Newberry Award for children's literature. It also operates 11 different divisions, including the Public Library Association and the American Association of School Librarians (AASL), and has chapters in every state, including the North Carolina Library Association (NCLA). As of 2007, the ALA reported nearly 65,000 members—mainly librarians.<sup>8</sup>

The ALA's power over the library industry is directly linked to its university accreditation program and the training of librarians and library directors nationwide. According to the ALA, "The majority of employers require an ALA-accredited master's for professional positions. Some states require an ALA-accredited degree to work as a professional librarian in public or school libraries." ALA-accredited programs must meet specific requirements, including conforming to ALA standards, such as in the program's mission, objectives, and curriculum.<sup>9</sup> In North Carolina, three universities have ALA-accredited library science programs: North Carolina Central University, UNC Chapel Hill, and UNC Greensboro (conditional).<sup>10</sup> East Carolina University (ECU) is currently seeking ALA-accreditation for its library science program.<sup>11</sup>

In addition to its influence over the field of education, one of the ALA's major initiatives is the defense and promotion of "intellectual freedom," which it defines as "the right of every individual to both seek and receive information from all points of view without restriction."<sup>12</sup> It operates an Office of Intellectual Freedom for the purpose of "implementing ALA policies concerning the concept of intellectual freedom as embodied in the Library Bill of Rights."<sup>13</sup> The ALA's Library Bill of Rights is a guide for librarians that outlines general principles on the role and responsibility of libraries, including principles related to intellectual freedom and the "right to read."

## A "Right to Read" — Anything?

As part of its defense of intellectual freedom, the ALA promotes "Banned Books Week: Celebrating the Freedom to Read." Now in its 27th year, the annual event is used by the ALA and other sponsoring groups to draw attention to book challenges at libraries nationwide. In 2007, the ALA received 420 reports from libraries regarding formal complaints from patrons about books.<sup>14</sup> According to one ALA brochure, "sex, profanity, and racism remain the top categories" of book challenges, with most challenges "motivated by a desire to protect children."<sup>15</sup> The main purpose of "Banned Books Week" is to celebrate the First Amendment right of every American to free speech, including the "right to read."

"The right to read is a guiding idea," explains John Harer, Ph.D., associate professor of library science at ECU and the author of several books on intellectual freedom. "Just as the First Amendment is not specific, the right to read is a broad concept, more like an ideal, an ideal we constantly seek to perfect. But it governs libraries' views for offering their clientele the widest possible and appropriate range of reading choices."<sup>16</sup>

The "right to read" may be an ideal, but it has very practical implications for the types of materials that are available in the local public library and who has access to those materials. These implications are evident in the ALA's radical positions on censorship, sexually explicit

materials, minor access and privacy, Internet filtering, and parental rights.

**Banning "Censorship."** The ALA's position on "censorship" is based on its interpretation of Article I of the Library of Bill of Rights, which states, "Materials should not be excluded because of the origin, background, or views of those contributing to their creation."<sup>17</sup> When concerned citizens question the appropriateness of a book at a library or school, the ALA often sounds the "censorship" alarm. Consider the ALA's defense of *The Golden Compass*, a children's book by self-described atheist, Philip Pullman, which was made into a Hollywood movie in 2007.<sup>18</sup> The book is part of Pullman's His Dark Materials fantasy series, which he once described in an interview as a "sort of historical answer to the, so to speak ... propaganda on behalf of religion that you

## In the Southeastern U.S., only North Carolina has failed to take decisive action to protect marriage under its Constitution.

get in, for example, C. S. Lewis."<sup>19</sup> Both the book and movie inspired a number of challenges in 2007 for their "anti-Christian" themes, including a boycott campaign by conservative Christian and Catholic groups.<sup>20</sup>

"We encourage librarians, teachers and parents to resist the call to censorship," ALA President Loriene Roy said in response to the boycott campaign. "By resisting the call to censor and boycott *The Golden Compass*, we send the message to young people that in this country they have the right to choose what they will read, and that they will be expected to develop the ability to think critically about what they read, rather than allowing others to do their thinking for them."<sup>21</sup>

On its web site, the ALA admits that most challenges brought against books in this country are just that—challenges—and generally do not result in the book being banned or even restricted. Not surprisingly, concerned parents bring the majority of challenges to library books and materials, often over offensive language and/or sexually explicit content.<sup>22</sup>

**Sexually Explicit Material.** Beginning in 1997 and through 2003, Charlotte activist, Martin Davis, began a campaign to focus community attention to the sexually explicit books available at the Public Library of Charlotte and Mecklenburg County (PLCMC). During live, televised county commission meetings, Mr. Davis read aloud from library books that featured sexually explicit, obscene and profane material. Some of the passages were so graphic that the city ended up canceling rebroadcasts of the meetings as a result. Mr. Davis once told reporters that his purpose was to "offend" commissioners and draw public attention to the "free pornography" available without restriction at the local library.<sup>23</sup>

According to the ALA's ideology, human beings have a right to sex education, including the right to read and view sexually explicit materials. For example, one of the ALA's "Top 10 Most Challenged Books of the 21st Century" is a sex education book that is endorsed by Planned Parenthood, called *It's Perfectly Normal*.<sup>24</sup> The book, which features explicit descriptions of various sexual behaviors and illustrations of nude children, can typically be found in the juvenile section of the local library (depending on library policy).<sup>25</sup>

The ALA defends books like these by noting that its *Library Bill of Rights* mandates that library services, materials, and programs be available to all members of the community [that] the library services, without regard to sex, gender identity, or sexual orientation. This includes providing youth with comprehensive sex education literature."<sup>26</sup> The ALA argues that "libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with *any* subject matter, including sex, gender identity, or sexual orientation" (emphasis added).<sup>27</sup> In addition, a 2005 ALA resolution encourages state chapters "to take active stands against all legislative or other government attempts to proscribe materials related to sex, gender identity, or sexual orientation."<sup>28</sup>

**Unrestricted Access.** It is one thing to argue in the name of intellectual freedom that libraries should stock books and materials that represent a "diversity" of viewpoints. But the ALA goes even

---

further, opposing efforts to restrict access to sexually explicit and profane materials by placing them behind the circulation counter or in locked bookcases.

“Because restricted materials often deal with controversial, unusual, or sensitive subjects, having to ask a librarian or circulation clerk for access to them may be embarrassing or inhibiting for patrons desiring the materials,” states an ALA position paper on restricted access. “Because restricted materials often feature information that some people consider objectionable, potential library users may be predisposed to think of the materials as objectionable, and, therefore, be reluctant to ask for them.”<sup>29</sup>

**Free Access for Children.** A 2007 Harris Youth Poll survey found that 78 percent of children ages 8 to 18 have a library card.<sup>30</sup> In most libraries, children can get their own library card as soon as they can read, often with a parent’s signature, depending on their age. While libraries vary in the range of access these cards provide, the ALA argues that children should have the same access to library materials as adults. The ALA “opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users,” adding that “lack of access to information can be harmful to minors.”<sup>31</sup>

According to the ALA, “the interests of young people, like those of adults, are not limited by subject, theme, or level of sophistication.”<sup>32</sup> For this reason, the ALA opposes age limit restrictions on library materials, including non-print materials, such as computer games, DVDs, and music, arguing that such policies “abridge library use for minors...”<sup>33</sup>

**Confidentiality for Minors.** “The library community recognizes that children and youth have the same rights to privacy as adults,” according to a policy statement by the ALA’s American Association of School Librarians (AASL).<sup>34</sup> Not only does the ALA promote unrestricted access for minors to library materials, but it also argues that minor library records should be off limits to anyone, including parents. “In all instances, best practice is to extend to minor patrons the maximum allowable confidentiality and privacy protections,” explains an ALA Q&A sheet on privacy issues. “Librarians

should not breach a child’s confidentiality by giving out information readily available to the parent from the child directly.”<sup>35</sup>

The laws of 14 states require public libraries to give parents access to minor library records, but North Carolina is not one of them.<sup>36</sup> North Carolina does have a library privacy law, but it does not address parental access. The law requires that library records not be disclosed to anyone except under certain exceptions—the written consent of the user, under subpoena, court order or where otherwise required by law.<sup>37</sup>

According to ECU library science

---

### **Once a legal principle of this nature is established in case law, it does not require a significant leap for a court to uphold a right to same-sex “marriage.”**

---

professor Dr. Harer, “because the law does not specifically deal with children’s records, it protects children’s records from being revealed except under those exemptions stated.” He notes that because the law is not specific, “some libraries may have a policy that gives waivers to parents, and that may be a reasonable accommodation. However, a blanket policy that opens the records of all children is inappropriate and threatens the right to read of children.”<sup>38</sup>

**Internet Filtering:** In 1999, a small private school took a field trip to the public library in Charlotte. Several children, including the (then) 10 year-old daughter of State Representative Ruth Samuelson (R-Meck.), stumbled upon a man viewing pornography on one of the library computers. The girls screamed, and the man reportedly ran out of the building.<sup>39</sup> According to Rep. Samuelson, the school stopped taking field trips to the library after the incident. “I called the library director [about the incident], and he was disappointed but defended the library’s policies,” says Rep. Samuelson. “Part of his reasoning was First Amendment rights.”<sup>40</sup>

In response to similar incidents across the nation, Congress passed the Children’s Internet Protection Act (CIPA)

in 2000. According to the National Conference of State Legislatures (NCSL), “CIPA requires public libraries [including school libraries] that participate in the Library Services and Technology Act (LISTA) and E-rate programs to certify that they are using computer filtering software programs to prevent the on-screen depiction of obscenity, child pornography or material that is harmful to minors. The act allows adult library patrons to request that a librarian disable the filtering software.”<sup>41</sup>

The ALA and its allies led the charge against CIPA, eventually taking their lawsuit all the way to the U.S. Supreme Court, which upheld the law in 2003.<sup>42</sup> The NCLA explained its opposition to CIPA in a 1999 resolution, stating that it “supports the principle of open, free and unrestricted access to information and ideas, regardless of the format in which they appear...”<sup>43</sup>

In addition to federal law, 21 states also have Internet filtering laws, with the majority requiring school boards and/or public libraries in the state to have Internet-safety policies in place that protect children from accessing obscene and/or sexually explicit material online. A few of these state laws link the Internet safety requirements to state funding.<sup>44</sup>

It is important to note that not all libraries accept the federal funds that require them to comply with CIPA, which means that some libraries (depending on local policy and/or state law) may choose not to filter their Internet computers. Because of this, Internet dangers continue to be a problem at public libraries nationwide. Even at libraries that do filter their Internet computers, technically knowledgeable teens and adults can find ways to get to objectionable sites. In an attempt to prevent patrons from bypassing library filters, Wake County Public Library made the decision in March 2007 to also block access to “My Space” on its Internet computers because local teens were using the social networking site to access sexually explicit materials as well as gang activity, including selling drugs.<sup>45</sup>

**Parental Rights:** In 2007, Congressman Walter Jones (R-NC) reintroduced legislation in the U.S. House that would give parents more control over the books and materials at their local elementary school libraries. Originally

---

introduced in 2005, “HR-681—The Parental Empowerment Act” would have required states or local boards of education to establish “parent review and empowerment councils” composed of five to 15 parents with the authority to review and recommend library and classroom materials for elementary schools prior to their purchase.<sup>46</sup>

“The goal behind this legislation is to empower parents to take charge of the content available to their young children in our public schools,” Congressman Jones said in a press release, noting that he drafted the bill in response to a 2004 incident in Wilmington, involving the inclusion of the pro-homosexual children’s book, *King and King*, at a local elementary school library.<sup>47</sup>

The Parental Empowerment Act never made it to the House floor, but it was opposed by the NCLA, which described it as “a threat to intellectual freedom and to librarians exercising their professional selection responsibilities.”<sup>48</sup> The NCLA’s opposition to the bill is typical of how the ALA views the rights of parents in libraries.

While the ALA admits that parents have “the right and responsibility to restrict the access of their children” to library materials, it does not believe that libraries have a responsibility to assist parents in doing so, such as through book or material ratings or by limiting access to certain materials. According to the ALA, “Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children.”<sup>49</sup>

## Does the First Amendment Protect a “Right to Read” Anything?

As the previous examples demonstrate, the ALA’s interpretation of the “right to read” as a right that is seemingly without limits is extreme, to say the least. Even more disturbing is the ALA’s refusal to endorse restricted or limited access for minors to various adult materials at libraries, as well as the contention that minors have the same privacy rights as adults.

Patrick Trueman, former Chief of the Child Exploitation and Obscenity Section in the U.S. Department of Justice, disagrees with the ALA’s inter-

pretation. “The ALA is flat wrong to assert that there is a right under the U.S. Constitution to all material,” says Trueman, a legal expert on indecency and obscenity who has litigated a number of cases before the U.S. Supreme Court. “The First Amendment protects speech from actions by the Federal Government. What is ‘protected speech’ has been a

---

## Efforts to normalize homosexuality in North Carolina have increased with each passing year.

---

matter of considerable litigation before the U.S. Supreme Court. The Court has, however, repeatedly ruled that obscene material—a term the Court has said is synonymous with hardcore pornography—is not protected speech. The Court has also upheld laws that protect children from access to indecent material, so-called soft-core pornography.<sup>50</sup>

Mr. Trueman notes that, “in most civilized societies, a distinction has been made between adults and children regarding access to certain materials, such as pornography.” As an example, he cites the fact that federal law prohibits the broadcast of indecent material during the hours when children are more likely to be awake.<sup>51</sup>

Although the First Amendment is not specific about what materials are covered under the right to free speech, the Supreme Court has considered several cases related to library books and materials, including *Island Trees School District v. Pico*, a 1982 case involving a school board’s decision to remove certain books from school libraries.<sup>52</sup>

“Pico states that books cannot be removed based on an authority’s political or social viewpoint,” explains Harer. “Books must be reviewed for inclusion or removal in a fair and objective process.”<sup>53</sup> While the Supreme Court did rule in *Pico* that school officials could not remove books simply because of their ideas, it also emphasized that school boards have the power to remove books deemed “educationally unsuitable” or “pervasively vulgar.”<sup>54</sup>

“As you see, there is a lot of ambiguity in this. What does ‘education-

ally unsuitable’ mean?” asks Harer, who formerly served as an elementary school and middle school librarian. “In my opinion, this is where the selection process, if properly done, helps to ensure that most materials are appropriate for the audience. Librarians are human and make errors in selection just like everyone else ... so a fair and reasonable reconsideration process is needed. Most libraries have a written policy regarding their reconsideration process, and treat parental requests and complaints fairly and objectively, in my experience.”<sup>55</sup>

## Who Controls the Library?

While there is no question that the ALA has enormous influence over the library industry, public libraries are taxpayer-funded institutions that do not answer to the ALA but to the people of the communities in which they serve. Of the 75 public library systems in North Carolina, the majority are governed by the counties or municipalities in which they reside, with local trustee boards serving in advisory positions, although some are considered nonprofit organizations and governed by the library board.<sup>56</sup> The majority of funding for public libraries is also local.<sup>57</sup> School libraries are considered an extension of the public school classroom and are governed by local (elected) school boards. In addition, local boards of education are required under North Carolina law to adopt a materials selection policy that each school system in their jurisdiction is expected to follow. This includes the option of creating a “media advisory committee” to “investigate and evaluate challenges from parents, teachers, and members of the public to textbooks and supplementary instructional materials on the grounds that they are educationally unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the students.” The law states that local school boards have “sole authority and discretion to determine whether a challenge has merit and whether challenged material should be retained or removed.”<sup>58</sup>

This means that decisions about minor access, privacy, and material selection are ultimately determined at the local level—by individual library systems and local school boards, as well as school

librarians. Parents have the power to influence these decisions.

Consider the previously mentioned case in Wilmington involving the pro-homosexual children's book, *King & King*. When a first grader brought the book home from her elementary school library in early 2004, her parents immediately filed a complaint with the school and alerted other parents in their community. As a result, a local school committee voted to restrict access to the book to adults only.<sup>59</sup>

Another example is the decision by the Public Library of Charlotte and Mecklenburg County (PLCMC) to change its minor access policies in 2001, which resulted from years of complaints by local citizens and members of the county commission about sexually explicit materials in the library. As previously mentioned, local activist Martin Davis helped draw community attention to the problem by reading passages from sexually explicit library books during a series of live county commission meetings. In 1997, County Commissioner Bill James first proposed changes to the library card policy, suggesting a "dual card"—one for children (under 18) and one for adults. After a five-month review, the PLCMC library board adopted a new policy that did not go that far, but did give parents more control. Under the policy, parents of children ages 11 and under must choose whether to allow their child to borrow anything in the library's collection or to limit their selection only to materials in the juvenile section, and they must give permission for their child to use the Internet.<sup>60</sup>

## Balancing Intellectual Freedom With Children's Best Interests

There is no question that libraries play a major role in the preservation of intellectual freedom, including the right to free speech. But the ALA goes too far when it argues for limitless intellectual freedom that includes the right to read sexually explicit and/or profanity-laced materials, and that minors have the same rights to information and privacy as adults. Minors are still developing mentally, emotionally, physically and spiritually, and their best interests are served by allowing their parents to determine their level of access to infor-

mation. Libraries can and should be family-friendly places, where children can develop a healthy love for reading, free from the threat of exposure to harmful materials and/or materials their parents may consider inappropriate. In addition to preserving the right to read, libraries have a responsibility as community institutions to work with parents, not against them, by implementing family-friendly policies that serve the intellectual needs of adults without threatening the innocence of childhood. ❖

---

*Alysse ElHage is associate director of research for the North Carolina Family Policy Council.*

---

*Copyright © 2008. North Carolina Family Policy Council. All Rights Reserved.*

### Endnotes

1. Richardson, Justin and Peter Parnell, *And Tango Makes Three*, New York: Simon and Schuster Children's Publishing, 2005.
2. "NC Review Committee to Reconsider Banning of Gay Penguins Book," *School Library Journal*, 1/1/07; See also: Grew, Tony, "Gay Penguins to Stay on Library Shelves," *Pink News*, 1/11/07.
3. Op. Cit., Tango.
4. Grew, Tony, "Gay Penguins to Stay on Library Shelves," *Pink News*, 1/11/07.
5. "NC Review Committee to Reconsider Banning of Gay Penguins Book," *School Library Journal*, 1/1/07; also "Children's Book on Male Penguins Raising Chick Tops ALA's 2007 List of Most Challenged Books," ALA Press Release, May 7, 2008
6. ALA, "Number of Libraries in the United States," ALA Library Fact Sheet 1, Available at: <http://www.ala.org/ala/aboutala/hqops/library/libraryfactsheet/alalibraryfactsheet1.cfm>
7. ALA, "What is the ALA?" See: <http://www.ala.org/Template.cfm?Section=alafaq&template=/cfapps/faq/faq.cfm#1>
8. ALA, "Fact Sheet About American Library Association," <http://staging.ala.org/ala/aboutala/hqops/factsheet.cfm>
9. ALA, *Library and Information Studies: Director of Institutions Offering Accredited Master's Programs, 2007-2008*, pg. 6.
10. *Ibid.*, pgs. 32-33.
11. [http://lsit.coe.edu/ALA\\_Accreditation\\_Process/](http://lsit.coe.edu/ALA_Accreditation_Process/)
12. American Association of School Librarians/ALA, *What is Intellectual Freedom*, Brochure, AASL Intellectual Freedom Committee, May 2008.
13. Op. Cit., ALA Fact Sheet.
14. ALA, "Children's Book on Male Penguins Raising Chick Tops ALA's 2007 List of Most Challenged Books," Press Release, May 7, 2008.
15. Doyle, Robert, *Books Challenged or Banned 2007-08*, ALA Brochure, <http://www.ila.org/pdf/2008banned.pdf>
16. Email Interview by Author of John Harer, Ph.D., August 27, 2008.
17. ALA, *Library Bill of Rights*, Adopted 1948, Amended 1980/1996, [www.ala.org](http://www.ala.org).
18. Odean, Kathleen, "The Story Master," *School Library Journal*, 10/1/2000, <http://www.schoollibraryjournal.com/article/ca153054.html>
19. *Ibid.*
20. "ALA President Loriene Roy Responds to Attempts to Remove The Golden Compass From Library Shelves," Press Release, Dec. 4, 2007
21. *Ibid.*
22. ALA, "Banned Books Week Basics," 2008, [www.ala.org](http://www.ala.org)
23. ALA, "Anti-Porn Activist Causes Multi-media Stir in North Carolina," *American Libraries*, News, March 26, 2001. Also: ALA, *American Libraries*, "North Carolina Read-Aloud Attempt Silenced," March 12, 2001.
24. ALA, "Most Challenged Books of the 21st Century (2000-2005)," September 2006, <http://www.ala.org/ala/aboutala/offices/oif/banned-booksweek/bbwlinks/topten2000to2005.cfm>
25. Harris, Robie H., *It's Perfectly Normal: Changing Bodies, Growing Up, Sex and Sexual Health*, Cambridge, Mass: 1994.
26. ALA, *Access to Library Resources and Services Regardless of Sex, Gender Identity or Sexual Orientation: An Interpretation of the Library Bill of Rights (Adopted 1993, updated 2004)* ALA Council.
27. *Ibid.*
28. *From: ALA's Resolution on Threats to Library Materials Related to Sex, Gender Identity, or Sexual Orientation (ALA Council, 2005)*, [www.ala.org](http://www.ala.org).
29. ALA, "Restricted Access to Library Materials: An Interpretation of the Library Bill of Rights," Adopted 1973, Updated 2004, [www.ala.org](http://www.ala.org).
30. ALA, "Public Libraries," *The State of America's Libraries—2008*, pg 4.
31. ALA, *Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights*, originally adopted by ALA Council, 1972, updated 2004, [www.ala.org](http://www.ala.org).
32. ALA, *Access for Children and Young Adults to Nonprint Materials: An Interpretation of the Library Bill of Rights*, adopted 1989, updated 2004 by ALA Council, [www.ala.org](http://www.ala.org).
33. *Ibid.*
34. American Association of School Librarians (AASL), *Position Statement on Confidentiality of Library Records*, AASL Position Statements, Revised July 1999.
35. ALA/IFC, *Questions and Answers Regarding Privacy and Confidentiality*, 2006 <http://www.ala.org/ala/aboutala/offices/oif/statementspols/statementsif/interpretations/qandaonprivacy-andconfidentiality.pdf>
36. [http://www.library.cmu.edu/People/neuhaus/state\\_laws.html](http://www.library.cmu.edu/People/neuhaus/state_laws.html)
37. NC Gen. Statute 125-19 (Article 3, Library Records)
38. Op. Cit., Email Interview with John Harer, Ph.D.
39. James, Bill, "Why Won't the Library Protect Children?," Op/Ed, *The Charlotte Observer*, April 1, 2001.
40. Author's email interview with State Representative Ruth Samuelson Sept. 1, 2008.
41. National Conference of State Legislatures, *Children and the Internet: Laws Relating*

- to Filtering, Blocking and Usage Policies in Schools and Libraries, 12/7/07, [www.ncsl.org](http://www.ncsl.org).
42. Ibid.
  43. North Carolina Library Association (NCLA), "Statement on Library Filters and Internet Use," Adopted 6/1/1999, [www.nclaonline.org/intellect/filters.html](http://www.nclaonline.org/intellect/filters.html)
  44. Op. Cit., NCSL, Filtering laws.
  45. Olek, Joan, "Wake County (NC) Public Library Defends My Space Ban," *School Library Journal*, 6/8/07.
  46. HR 681, Also: "North Carolina Congressman Introduces Legislation Curbing Gay-Themed Books," *School Library Journal*, 5/31/2005.
  47. "Jones Introduces Parental Empowerment Act of 2005," Press Release, 5/16/05.
  48. NCLA Resolution on Parental Empowerment Act, <http://www.nclaonline.org/intellect/Resolution050715.pdf>
  49. ALA, Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights, originally adopted by ALA Council in 1972, updated 2004, [www.ala.org](http://www.ala.org).
  50. Email Interview by Author of Patrick Trueman, Oct. 1, 2008
  51. Ibid.
  52. Board of Education v. Pico (1982), See: <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=457&invol=853>
  53. Email Interview by Author of Dr. John Harer, August 27, 2008
  54. Op. Cit., Pico
  55. Ibid.
  56. "Public Library Governance in North Carolina," State Library of North Carolina, 2003, <http://statelibrary.dcr.state.nc.us/ld/publibgov.htm>
  57. State Library of North Carolina, "Operating Income," Statistical Report of Public Libraries 2006-07, pg. 8-11,
  58. North Carolina General Statute §115C-98.
  59. NCFPC, "Elementary School Protects Children from Homosexual Book," March 29, 2004, <http://www.ncfamily.org/stories/040329s1.html>
  60. ALA, "North Carolina Trustees Offer Parents a Choice on Children's Borrowing," ALA News, Oct. 29, 2001; Also: Public Library of Charlotte and Mecklenburg County, Library Card Application: For Children (11 and under), <http://www.plcmc.org/Catalog/getcard.asp>

*Organized in 1992, the North Carolina Family Policy Council is a nonpartisan, nonprofit, research and education organization. Our goal is to serve as a voice for families and traditional family values in the public policy arena. We are supported solely by private contributions which are tax deductible as provided by law. Our mailing address is P.O. Box 20607, Raleigh, NC 27619. Phone: (919) 807-0800. Fax: (919) 807-0900. Web: [www.ncfamily.org](http://www.ncfamily.org). Findings is a publication of the North Carolina Family Policy Council which is intended to communicate research findings and perspectives on public policy issues that affect the family. Nothing written here should be construed as necessarily reflecting the views of the North Carolina Family Policy Council or as an attempt to aid or hinder the passage of any bill before Congress or the North Carolina General Assembly. Printed September 2008.*