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<b>Associated Documents:</b>	<ul style="list-style-type: none"> <li>• POL-ADM.2018.75 Collection Policy: General</li> </ul>
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### Legal Framework

The Blue Mountains Public Library Board and Personnel are subject to both the *Ontario Public Library Guidelines and Standards for Community Museums in Ontario* as it relates to Intellectual Freedom. The Board, personnel and BMPL users must abide by the Canada Criminal Code and all legislation protecting against racism, hate speech and harassment.

#### SYS.2018.89.1 Intellectual Freedom

1. The Board adopts the Ontario Library Association's (OLA) *Statement on Intellectual Freedom and the Intellectual Rights of the Individual* (January 30, 2020).
2. It is the responsibility of the Board, and those who work in the BMPL, to:
  - 2.1. Ensure that all BMPL users have the fundamental right to have access to all expressions of knowledge, creativity, and intellectual activity, and to express their thoughts publicly.
  - 2.2. Guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular, or unacceptable.
  - 2.3. Make available all of the BMPL's public facilities and services to all individuals and groups who need them.
  - 2.4. Resist all efforts to limit the exercise of these responsibilities, while recognizing the right of criticism by individuals and groups.
3. Intellectual Freedom does not protect actions, statements or activities which promote or incite discrimination, contempt, racism, or hatred of any group.
4. The Board accepts that Intellectual Freedom is a pillar of library services, and further directs the CEO to ensure that the principles of Intellectual Freedom are integrated into all organizational policies, procedures, and practices.

#### SYS.2018.89.2 Public Library Intellectual Freedom

Further to the OLA statement, the BMPL GLAM is a democratic institution, and no individual or minority group should be allowed to limit the community's freedom to read or participate in programs and services. The BMPL staff may limit content based on quality or authority but will always strive to hold a balanced collection and programs.

#### SYS.2018.89.3 Museum Intellectual Freedom

Museum collections and exhibitions also flourish in a setting where intellectual freedoms are set as the cornerstone for decision making. Neither the Board or any other body may direct or restrict the types of collections or how they are exhibited, providing said collections and their exhibition meet the mandate of the museum.

#### **SYS.2018.89.4 Gallery Intellectual Freedom**

Be it the Board, Arts Advisory Council, staff, or member of the public; our individual tastes in artistic expression are unique and varied. Throughout the Gallery exhibitions individual artists and their creative expressions shall not be limited or restricted due to bias or personal preferences. The Gallery at L.E. Shore will provide the community with a rounded experience of artistic expression, with a focus on local artisans, regardless of medium or content.

#### **SYS.2018.89.5 Challenges**

A member of the public may challenge a book, program, or collection by completing a *Request to Remove* form.

1. The CEO will be responsible for reviewing the item(s) or program and the evidence provided in writing.
2. Only individuals who are community members and card holders (users) for more than 90 days prior to the challenge will be heard.
3. All challenges of collections and programs related to the GLAM are operational in nature, these fall under the purview of the CEO. Decisions are final and will not be heard as an appeal by the Board.
4. Any Challenges will be reported to the Centre for Free Expression for inclusion in the national Challenges database.

## **Ontario Library Association Statement on Intellectual Freedom and the Intellectual Rights of the Individual**

### **Introduction**

The Ontario Library Association and its divisions are committed to the fundamental rights of intellectual freedom, the freedom to read and freedom of the press, as embodied in the Canadian Charter of Rights and Freedoms.

Ontario Libraries have the important responsibility to facilitate expressions of knowledge, creativity, ideas, and opinion, even when viewed as unconventional or unpopular.

The Ontario Library Association declares its acceptance of the following principles for libraries:

1. Equitable access to library service to the public is based upon the right of the citizen, under the protection of the law, to judge individually on questions of politics, religion and morality.
2. Intellectual freedom requires freedom to critically examine and create other ideas, opinions, views, and philosophy of life, other than those currently approved by the local community or by society in general and including those ideas and interpretations which may be unconventional, uncommon, or unpopular.
3. The free traffic in ideas and opinions is essential to the health and growth of a free society and that the freedom to read, listen, view, and create is fundamental to such free traffic.
4. Library governance ensures that the principles of intellectual freedom and expression of thought are upheld.

### **Library Service, Collections and Resources:**

5. It is the responsibility of libraries to maintain the right of intellectual freedom and to implement it consistently in the selection of books, periodicals, films, recordings, and other materials including the provision of access to electronic sources of information and access to the internet. Materials are not excluded from library collections based on race, place of birth, origin, ethnic origin, ethnicity, citizenship, age, creed, disability, family structure, sex, and sexual orientation.
6. It is part of the library's service to its public to resist any attempt by any individual or group within the community it serves to abrogate, censor, or curtail access to

information, the freedom to read, view, listen or participate by demanding the removal of, or restrictions to library information sources in any format.

### **Library Programming, Events, and Space Bookings**

7. It is the responsibility of libraries to maintain the right of intellectual freedom and expression by implementing it consistently when hosting programs and events within the public space of the library including rented public space by individuals and community organizations.
8. Libraries create welcoming community spaces where community members are free from discrimination and may engage in peaceful assembly. Libraries may cancel or deny permits to individuals or organizations when speech or displays are used in a way that is unlawful.

#### **Applicable legislation:**

[Canadian Charter of Rights and Freedoms](#): Section 2(b) of the Charter of Rights and Freedoms protects “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication”.

[Criminal Code](#): Section 63 pertains to Unlawful Assemblies and Riots. Section 297 pertains to defamatory libel. Section 318 pertains to hate propaganda.

[Ontario Human Rights Code](#): Sub-section 13 pertains to infringing on freedom from discrimination.

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