



Hastings Highlands Public Library

Area : Foundation Policy

Policy Title: Intellectual Freedom

Policy Number: FN-04

Initial Policy Approval Date: March 18, 2014

Last Review: March 20, 2025

Year of next review: 2028

Recognizing that the Board has a fundamental responsibility for upholding the principles of, as well as advocating for, intellectual freedom, this policy ensures the rights of individuals to access information.

1. The Board adopts the Canadian Library Association's ***Position Statement on Intellectual Freedom***, approved by the CLA Executive Council ~ *Approval History: ~ CLA: June 27, 1974. Amended November 17, 1983; November 18, 1985; September 27, 2015. CFLA-FCAB: Adopted August 26, 2016; Reviewed April 12, 2019.*
2. It is the responsibility of the Board, and those who work in the Library, to:
 - a) ensure that all Library users have the fundamental right to have access to all expressions of knowledge, creativity, and intellectual activity, and to express their thoughts publicly and respectfully.
 - b) 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. In accordance with our mandate and professional values and standards, the Hastings Highlands Public Library provides, defends, and promotes equitable access to the widest possible variety of expressive content and resists calls for censorship and the adoption of systems that deny or restrict access to resources.
 - c) make available all the library's public facilities and services to all individuals and groups who need them.
 - d) resist all efforts to limit the exercise of these responsibilities, while recognizing the right of criticism by individuals and groups in accordance with the Hastings Highlands Public Library Code of Conduct.

3. The Board directs the Chief Executive Officer to ensure that the principles of intellectual freedom are integrated into all organizational policies, procedures and practices.

Related Documents:

Hastings Highlands Public Library. **FN 03 – Values Statement**
Hastings Highlands Public Library

4. Canadian Library Association's **Position Statement on Intellectual Freedom**, approved by the CLA Executive Council ~ *Approval History: ~ CLA: June 27, 1974. Amended November 17, 1983; November 18, 1985; September 27, 2015. CFLA-FCAB: Adopted August 26, 2016; Reviewed April 12, 2019. (See attached)*

Canadian Library Association Statement on Intellectual Freedom and Libraries

The Canadian Federation of Library Associations recognizes and values the Canadian Charter of Rights and Freedoms as the guarantor of the fundamental freedoms in Canada of conscience and religion; of thought, belief, opinion, and expression; of peaceful assembly; and of association.

The Canadian Federation of Library Associations supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rights, which include the interlocking freedoms to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.

In accordance with these principles, the Canadian Federation of Library Associations affirms that all persons in Canada have a fundamental right, subject only to the Constitution and the law, to have access to the full range of knowledge, imagination, ideas, and opinion, and to express their thoughts publicly. Only the courts may abridge free expression rights in Canada. The Canadian Federation of Library Associations affirms further that libraries have a core responsibility to support, defend and promote the universal principles of intellectual freedom and privacy.

The Canadian Federation of Library Associations holds that libraries are a key institution in Canada for rendering expressive content accessible and affordable to all. Libraries are essential gateways for all persons living in Canada to advance themselves through literacy, lifelong learning, social engagement, and cultural enrichment.

Libraries have a core responsibility to safeguard and facilitate access to constitutionally protected expressions of knowledge, imagination, ideas, and opinion, including those which some individuals and groups consider unconventional, unpopular or unacceptable. To this end, in accordance with their mandates and professional values and standards, libraries provide, defend and promote equitable access to the widest possible variety of expressive content and resist calls for censorship and the adoption of systems that deny or restrict access to resources.

Libraries have a core responsibility to safeguard and foster free expression and the right to safe and welcoming places and conditions. To this end, libraries make available their public spaces and services to individuals and groups without discrimination.

Libraries have a core responsibility to safeguard and defend privacy in the individual's pursuit of expressive content. To this end, libraries protect the identities and activities of library users except when required by the courts to cede them.

Furthermore, in accordance with established library policies, procedures and due process, libraries resist efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Library employees, volunteers and employers as well as library governing entities have a core responsibility to uphold the principles of intellectual freedom in the performance of their respective library roles.

You can find CFLA-FCAB's Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Libraries below:

Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Libraries Approved March 2019

The articles of the Canadian Federation of Library Associations/Fédération canadienne des associations de bibliothèques' (CFLA-FCAB) Statement on Intellectual Freedom and Libraries (<http://cfla-fcab.ca/en/guidelines-and-position-papers/statement-on-intellectual-freedom-and-libraries/>) are explicit declarations of basic principles that should govern the service of all public funded Canadian libraries, nonetheless, questions do arise regarding application of these principles to specific library practices.

This document provides an interpretation of the CFLA-FCAB's Statement on Intellectual Freedom and Libraries with regards to third party use of publicly funded library meetings rooms and facilities, which affirms: "Libraries have a core responsibility to safeguard and foster free expression and the right to safe and welcoming places and conditions. To this end, libraries make available their public spaces and services to individuals and groups without discrimination." The following points are conditional to applying CFLA-FCAB's position on third party use of publicly funded library meetings room and facilities:

- Publicly funded libraries that make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
 - CFLA-FCAB affirms that allowing use of its meeting rooms or facilities in no way correlates to the library endorsing the nature of the free expression of any individual or group using a meeting room or facility.
 - CFLA-FCAB affirms controversial expression is supported in the library. Equally so, challenge to controversial expression is supported. CFLA-FCAB does not, however, endorse the exercise of prior restraint as a means to avoiding controversy in the library.
 - CFLA-FCAB unequivocally directs libraries to work within the Canadian law and human rights codes.
 - CFLA-FCAB recognizes Canadian public libraries are subject to the Charter of Rights and Freedoms, which identifies freedom of expression as one of the four fundamental freedoms in Canada, subject only to reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.
 - CFLA-FCAB recognizes there is a wide range of measures available to libraries to minimize and correct violations of the law, expecting libraries to exercise due diligence and avoid being wilfully blind to illegal behaviour while ensuring their fundamental commitment to intellectual freedom.
 - CFLA-FCAB is mutually committed to intellectual freedom and to zero tolerance for discrimination, believing the two principles are mutually reinforcing. Position on Third Party Use of Publicly Funded Library Meetings Rooms Page 2 and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Libraries Addendum This selection of best practices are offered as a series of ethical managerial propositions for the guidance of individual libraries and librarians when considering their own operations and processes. They contain guidance and are offered as a contribution to the necessary process of research, consultation and cooperative drafting that underlies decision making at the local level.
- Prepare and publicize an explicit policy on the use of library meetings rooms and facilities after consultation with legal counsel, as well as administrative procedures and rental rates. This

critical work should include a due diligence condition ensuring a minimum amount of intrusion necessary to be legal and to bring about a remedy.

- Written policies for meeting room use are stated in inclusive rather than exclusive terms.
- Policies are made available in all of the commonly used languages within the community served.
- The Library's policy states whether meetings held in library spaces must be open to the public or if the library allows private social events.
- If meeting rooms and spaces are open to the public, the Library includes a section in their policy that addresses fees. Charging fees does not change the status of meeting rooms and spaces as designated public forums.
- The Library posts a permanent notice, in the languages commonly used in the community, near the meeting rooms and spaces stating that the library does not advocate or endorse the viewpoints expressed in meetings or by meeting room users.
- The Library posts a disclaimer statement outside the meeting room or facility in use, making it clear that the free expression being exercised does not necessarily reflect the views of the Library.
- The Library is explicit that all individuals and groups using the meeting room or facility are subject to the Library Board's rules and regulations (e.g., Code of Conduct).
- The Library requires that discussion topics, names of speakers and their affiliation, and items for sale must be disclosed at the time of booking/renting.
- The Library staff are present in the meeting room or facility during the event in question.
- When deemed appropriate, the Library rents the room or book the facility off business hours.
- The Library policy will make it clear it reserves the right to both refuse bookings/rentals and to cancel bookings/rentals.
- The Library documents all bookings, refusals and cancellations.
- The Library requires the renter/presenter to agree not to violate the law nor applicable human rights codes.
- The Library employs additional security measures if a risk to public safety is anticipated or presented.