

LIBRARY CHALLENGED MATERIALS PROCEDURE

Procedure Section & Number:			Effective Date:	
Policy Owner:	Vice President Academic		Last Revised:	June 1, 2021
Policy Administrator:	Director, Student Services		Review Scheduled:	June 1, 2025
Approver:	Executive Committee			
<i>The official controlled version of this document is held with the Policy & Procedure Coordinator.</i>				

A. PROCEDURES

Keyano College Library adheres to the Canadian Federation of Library Associations' [Statement on Intellectual Freedom and Libraries](#).

It may happen that members of the Keyano community challenge the validity, truth, scholarship, politics, morality etc. of materials in the Library, and request their removal from the Library or relegation to a special area, or reclassification of subject. Any challenges to or complaints about the collection should first be brought to the attention of the Librarian. The following procedures have been adopted for the handling of formal challenges to library materials.

1. Challenges to the Keyano College Library Holdings

- 1.1 Formal challenges to the library collection shall be made in writing to the Director of Student Services or designate using the Request for Reconsideration of Library Materials form (see Appendix A).
- 1.2 The Director of Student Services or designate will acknowledge receipt of the form via letter.
- 1.3 As soon as possible, the Director of Student Services or designate will notify the Library team and Vice President Academic that a challenge has been received.
- 1.4 The Director of Student Services or designate will request that the Librarian and library staff concerned in the specific area investigate and prepare a report on the status of the collection area of the challenge.

- a. Once brought to the attention of the library team, the challenge will be reviewed by a committee consisting of library staff and the Director of Student Services or designate.
 - b. The committee will:
 - i. As deemed appropriate, consult experts in the subject field (faculty or others) as part of the process.
 - ii. Invite the challenger to meet and consult with them, to ensure that the nature of the challenge is fully understood.
 - iii. Report on the Library holdings in the subject area of the challenge.
 - iv. Determine how the challenged material relates to the Keyano Library's Selection and Acquisition policy and the extent to which an item is the subject of legal injunctions.
 - v. Report on the challenge, its related findings, and answer to the challenge
 - c. In answering the challenge, the committee may recommend one or more of the following:
 - i. That the item, if relevant, be re-classified in the Library's records or sent to the Library of Congress for re-classification.
 - ii. That if the holding is subject to legal judgements it be housed in an area of limited access and be made available on request.
 - iii. That to promote serious scholarship and support the programs at Keyano, the Library strengthen its holdings in the subject area of the challenge to ensure a balanced collection.
 - iv. That where deemed appropriate, the Keyano community be advised of the issues raised by the challenge through the Library Report to Keyano's Academic Council.
 - v. That where deemed appropriate, the Library participate in a program of public education.
 - vi. That the challenged material be removed from the collection as no longer within the scope of the Library's collection.
 - vii. That no action be taken.
- 1.5 The Director of Student Services or designate will then discuss implementation of the recommendations from the Library's perspective.
- 1.6 The Director of Student Services or designate is responsible for formally conveying the committee's decisions to the challenger.
- 1.7 The Challenger will receive a final written response to the submitted request for reconsideration within 90 days of the Library receiving the request.

2. Appeal Procedure

2.1 Requesting an appeal

- a. Should the challenger not be satisfied with the decisions of the committee, they have the option to request an appeal within five (5) business days of receiving the written decision. The challenger must write a request for appeal to the Vice-President of Academics (VPA). The letter should contain all pertinent information as well as new information to the case. An appeal will only be considered if
 - i. there is new information gathered,
 - ii. there is concern that the principles of natural justice were not met, or
 - iii. there is concern that the principles of procedural fairness were not met.
- b. One or more of these concerns must be addressed fully in the appeal letter, with evidence to support the claim.

2.2 Responding to the appeal – Vice-President Academic (or designate)

- a. As soon as possible and but not later than five (5) business days from receiving the Letter of Appeal, the VPA will respond in writing to indicate the decision on the appeal. The decision will be based upon the VPA and the ad-hoc committee reviewing evidence from the previous library committee as well as any relevant or newly submitted information. The VPA and ad-hoc committee may choose to interview the challenger, the library committee, or other relevant parties prior to making a decision.
- b. The VPA and ad-hoc committee will determine if the appeal has merit by determining which of the three factors require further investigation:
 - i. New evidence is present.
 - ii. Principles of natural justice are in question.
 - iii. Procedural fairness is in question.
- c. If the challenger is unable to make a case for any of these three factors, the VPA will inform the challenger in writing that the request for appeal is denied.
- d. If the appeal request is upheld, the hearing must be held within ten (10) business days of receiving the appeal request from the challenger.

2.3 Appeal Review

- a. If the VPA determines that one of the three factors above requires further investigation, an appeal review will take place. Within three (3) business days an Appeal Review Committee will be struck. The Appeal Review Committee will be comprised of:

- i. VPA or designate (chair of committee)
 - ii. Unrelated Dean or Director unrelated
 - iii. Unrelated Faculty member
 - iv. Unrelated Library staff unrelated
 - v. Unrelated student representative appointed by Student Association Keyano College (SAKC)
 - vi. The VPA may choose to appoint an additional person as official note-taker. The note-taker does not have an active role in decision making.
- b. Access to investigation information will be made available to all parties prior to the hearing.

2.4 Appeal Hearing

- a. The VPA will inform the challenger and the Appeal Review Committee of the date of the hearing, as soon as possible, giving at least 48 hours notice.
- b. The challenger must request for any representatives to attend the hearing and must give at least 24 hours notice. The VPA will determine eligibility of representatives to attend and will respond in writing to the challenger's email address with a decision on eligibility. Representatives can offer support and advice, but cannot speak on behalf of the student.
- c. The format of the appeal hearing will be determined by the VPA but may take the form of
 - i. Statement from the challenger.
 - ii. Questions to the challenger from the committee
 - iii. Witness statements
 - iv. Other, as deemed appropriate by the VPA.

2.5 Communication of Hearing Results

- a. Within two (2) days of completing the Appeal Hearing, the VPA will inform the student, in writing, of the results.
- b. VPA will provide a letter to the Registrar for filing in the student file.

2.6 Further Appeals

- a. The Appeal Committee's decision is final and binding. Further appeals will not be accepted.

3. Material under reconsideration

- 3.1 The material under reconsideration will remain in the collection during the course of the review and any appeal.

B. DEFINITIONS

- (1) **Challenger** means an individual or group placing a challenge on selection or availability of a certain item or collection in the Library's holdings.
- (2) **College:** means Keyano College.
- (3) **Collection:** means the collection itself includes both physical and electronic resources as well as loanable technology. The collection is comprised of Keyano owned and licensed materials and resources that are accessed due to the college's consortium partnerships.
- (4) **Faculty:** means Keyano Faculty.
- (5) **Library:** means Keyano College Library.
- (6) **Selection:** means material selection and the acquisition of new materials for the Library collection.
- (7) **Student:** means Keyano Students.

C. RELATED DOCUMENTS

- [Canadian Federation of Library Associations \(CFLA\) Statement on Intellectual Freedom and Libraries](#)
- [Library Collection Development Policy](#)
- [Library Selection and Acquisition Procedure](#)
- [Library Weeding Procedure](#)

D. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
06/01/2021	New	All	Librarian	Director, Student Services

Appendix A Request for Reconsideration of Library Materials

Please Complete Details of Item:

Title of Work

Author

Format of Work

- Book Print Serial Article DVD
 Online Video eBook Database Image
 Electronic Serial Reserve Item
 Other

Publisher

Additional Publication Details (e.g., edition, volume, issue, pages, etc.)

Please Complete the Following Contact Information:

Full Name of Initiator of Request

Email

Phone Number

Street Address

City/Town

Postal Code

Do you represent:

- Yourself An Organization Other Group

If An Organization, please list name of organization below:

If Other Group, please list name of group below:

Please Complete the Following Questions:

1. To what in the work do you object? Please be specific (e.g., cite pages).

2. Did you read/watch/listen to the entire work? If not, what parts did you read/watch/listen?

3. What do you feel might be the result of reading/watching/listening to this work?

4. What is the suggested action?

Date Submitted (mm/dd/yyyy):