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Glossary of Common Terms

Age Appropriate Age appropriateness is not a strict science. Librarians use professional reviews, publisher recommendations, content, target audience analysis, and various tools and data bases to access age appropriateness. The final determination as to whether or not a book is age appropriate for a particular child should be made on an individual basis by the child's parent or guardian.

Average Person A “fictional” construct for understanding general trends and typical behavior. The average person lacks extreme characteristics for the community in which they live.

Book Ban Occurs when a book that met the criteria to be in the library collection is removed (temporarily or permanently) or restricted from that collection. A book that was qualified to be in the Children's collection but was moved to the Adult collection is still banned from the people for whom it was intended. This includes moving materials to less accessible areas, requiring parental permission for certain materials, applying “age-appropriate” warnings or labels, covering or removing images or pages.

Censorship The suppression, restriction or removal of materials based on objections to their content by a government entity, and aimed at limiting access to specific ideas or information. This includes “soft” censorship, like moving materials to less accessible areas, requiring parental permission for certain materials, “age-appropriate” warnings or labels, covering or removing images or pages.

Challenge More formally referred to as a “Request for Reconsideration,” this is a process followed when a patron believes a book is inappropriately shelved.

Contemporary Community Standards This benchmark was established by SCOTUS in the 1957 case *Roth v United States*. The question: would the *average* person in a community find the main theme of the material being reviewed appealing to the *prurient interest* of someone in the group for which the material was intended. Primarily used in legal cases involving obscenity, and determined by a jury.

Harmful to Children Material must meet ALL of the criteria in MCL Section 722.674 to be found harmful to minors due to obscenity.

As used in this part:

(a) "Harmful to minors" means sexually explicit matter that meets all of the following criteria:

(i) Considered as a whole, it appeals to the prurient interest of minors as determined by contemporary local community standards.

(ii) It is patently offensive to contemporary local community standards of adults as to what is suitable for minors.

(iii) Considered as a whole, it lacks serious literary, artistic, political, educational, and scientific value for minors.

(b) "Local community" means the county in which the matter was disseminated.

(c) "Prurient interest" means a lustful interest in sexual stimulation or gratification. In determining whether sexually explicit matter appeals to the prurient interest, the matter shall be judged with reference to average 17-year-old minors. If it appears from the character of the matter that it is designed to appeal to the prurient interest of a particular group of persons, including, but not limited to, homosexuals or sadomasochists, then the matter shall be judged with reference to average 17-year-old minors within the particular group for which it appears to be designed.

Miller Test Established by SCOTUS in *Miller v California* (1973), this is a legal standard applied by courts to determine if material is obscene and therefore not protected by the First Amendment. ALL three criteria must be met for a work to be determined to be obscene. The three criteria of the Miller test are:

1. Does the work, as judged by “the average person, applying contemporary community standards,” taken as a whole, appeal to the prurient (inappropriately sexual) interest?

2. Does the work depict or describe, in an explicit, “patently offensive way,” sexual conduct or excretory functions as defined by state laws?

3. Does the work, taken as a whole, lack serious literary, artistic, political or scientific value?

Pervasive Vulgarity Typically used in the context of public school library books, based on precedent set in *Island Trees School District v. Pico* (1982). This vague term generally refers to material that contains excessive, repeated use of coarse language or sexual content. Often viewed as a pretext for censorship targeting books that deal with LGBTQIAP+ themes, gender, race and human sexuality.

Pornography The legal term for pornography is obscenity, and it is determined in court by application of the Miller test.

Obscenity A legal standard applied by a court/jurors, which uses the Miller Test to determine if material is obscene.

Prurient Interest Excessive lustful or morbid interest in sexual matters.

Self-censorship Occurs when a library board or administration, for fear of violating an unclear law, policy, or in response to public pressure, chooses not to select potentially controversial materials.

Sexually Explicit Definition of sexually explicit materials, per Michigan Compiled Laws:

"Sexually explicit verbal material" means a book, pamphlet, magazine, printed matter reproduced in any manner, or sound recording that contains an explicit and detailed verbal description or narrative account of sexual excitement, erotic fondling, sexual intercourse, or sadomasochistic abuse."

The law recognizes that parents, schools and public libraries have the discretion to allow minors to access sexually explicit verbal material that does not meet the definition of Harmful to Children.