

# **Delta County Public Library District (DCPLD)**

*“Serving and Empowering People  
Providing Resources for Life, Leisure and Learning”*

**The Board of Trustees of Delta County Public Library District (Board) adopts and makes public the following written policy:**

## **COLLECTION DEVELOPMENT POLICY**

### **Revision Dates and General Definitions**

This revision dated 01/20/2010 overrides all previous versions of **Delta County Public Library District COLLECTION DEVELOPMENT POLICY** and any verbal/oral policies, actions and behavior in existence prior to this date.

No individual has the authority to override the provisions contained in the DCPLD’s policies either orally, in writing or by their actions.

DCPLD is founded on the principals of intellectual freedom and equal access for all patrons.

### **Purpose of the Collection within the Context of the Mission**

Any library is identified and defined principally by its holdings of materials and information resources. DCPLD acts to fulfill its mission by selecting, acquiring, organizing, preserving, maintaining, deselecting and providing access to a collection of materials and electronic resources that address the interests and needs of the diverse members of its communities. DCPLD materials are viewed as one, entire, collection that provides a broad range of resources in a variety of formats. The collection benefits the entire District, while maintaining a distinction of the uniqueness of each community where each library branch resides.

### **II. Purpose of the Collection Development Policy**

This formal policy serves several vital purposes.

- Guides staff in making decisions about the selection, de-selection, and management of library materials and in allocating library budgets.
- Informs the public of the principles that govern collection development at DCPLD.
- Constitutes a public declaration of DCPLD’s commitment to the principles of free access to ideas and information, and to providing collections that reflect a variety of viewpoints.

### **III. General Principles of Collection Development**

Collection development at DCPLD is founded on the principles of intellectual freedom and equal access for all. Since no library can possibly acquire all print and non-print materials, every library must employ a policy of selectivity in acquisitions. The District provides, within its financial limitations, a collection that balances viewpoints across a broad spectrum of opinion and subject matter in formats suitable to a variety of learning and recreational

interests and skills. When evaluating the collection for completeness and viewpoint diversity, the collection will be looked at as a whole, not library by library. Using selection practices that are flexible and responsive to the changing needs of the District-wide community, DCPLD builds and maintains collections for the general public while recognizing the needs of special population groups in the community. Three basic supporting documents used to achieve these principles are the *Freedom to Read Statement*, the *Freedom to View Statement*, and the *Library Bill of Rights*.

### **A. Intellectual Freedom**

DCPLD makes available a wide diversity of ideas and viewpoints in support of an informed citizenry and a democratic society. DCPLD supports the individual choice and judgment of its users in seeking information, and upholds the freedom of library users to read, view and listen. *Delta County Libraries 2009 Policy Manual*.

Decisions to select or retain an item are based on the merits of each work or information source as it relates to the goals and coverage of the collection. The District considers the value of each item in its entirety and within the context of the collection, not on specific passages or sections in the item itself. Materials are not marked, labeled, or sequestered to show approval, disapproval, or judgment as to suitability of content for particular audiences. Materials are not excluded, removed, proscribed, or suppressed because of their creator's origin, background, or views, or because they represent a particular aspect of life, frankness of expression, or controversial subject matter. Inclusion of an item does not constitute endorsement of its content. Selection of materials for adults is not constrained by possible exposure to children or young adults. Responsibility for children's use of library collections rests with parents, guardians, or caregivers.

### **B. Access**

DCPLD makes its collections available to all. However, not all library materials can be made immediately accessible at all locations within the District. The Collections and Systems Administrator decides how many copies to buy and where to locate them by considering anticipated demand, the interests of local library users, physical space limitations, and available budgets.

DCPLD is committed to the expeditious delivery of materials and information to its users. Some library materials, however, may be subject to use limitations and storage due to considerations of rarity, exceptional levels of demand, cost, physical condition, and permanent value of their information content. Efforts will be made to provide access to materials and information beyond the immediate premises of a library agency, or beyond the holdings of its collection, by means of requests placed through the online catalog, interlibrary loans, photocopying and faxing service, provision of licensed electronic resources, and access to the Internet. In all of these efforts, DCPLD will operate within the provisions of the United States copyright laws.

The proliferation of electronic and Internet information resources pose challenges as well as opportunities for the future of library collections and the information needs of the public. Many materials once available in print are now also being produced in electronic format.

Some are now available solely through the Internet or proprietary database products. Providing access to electronic resources is an integral part of the library's collection development efforts.

#### **IV. Responsibility for Collection Development**

Collection development is a process guided through all its stages by the expertise and judgment of librarians. Ultimate responsibility for the direction, purpose, and scope of collection development rests with the District Director. Library managers give considerable input in the collection selection, especially with items that reflect the needs of their community. Authority for collection development activities and administration of the materials budget resides with the Collections and Systems Administrator.

#### **V. Audience and Roles**

DCPLD was established in 1993 to improve library service to Delta County residents through the sharing of books, staff, and tax revenue and interlibrary loan.

The library's community is diverse, consisting of individuals of various ages, races, faiths, levels of education, incomes, sexual orientations, ethnic backgrounds, and languages spoken.

#### **VI. Context and Scope of Collection Development at Delta County Libraries**

DCPLD is comprised of a branch library system which includes branch libraries in Cedaredge, Crawford, Delta, Hotchkiss and Paonia. The branch library system and member libraries are all governed by the DCPLD Board of Directors.

Each branch library's collection varies in size, scope, and depth according to the library's patterns of use, the expressed needs of the community, and the space limitations of the facility.

#### **VII. Collection Management**

##### **A. Selection Sources**

Sources for selection decisions are standard library reviewing media and professional journals that include, but are not limited to: published reviews; publisher or vendor catalogs; requests or recommendations; advertisements; and listservs.

##### **B. General Selection Criteria**

DCPLD selects materials for its collection in accordance with professionally accepted guidelines. DCL strives to represent all approaches to issues of a controversial nature. DCPLD does not sanction particular beliefs or views, nor is the selection of any given item equivalent to an endorsement of the author's viewpoint. If a scarcity of information in a particular subject area exists, material in that area may be selected, even though it does not meet the usually applied standards. DCPLD focuses on a popular titles collection. Starred reviews in professional journals take precedence over less favorable reviews. Budget, popularity, and recent copyright date (within the past three years) have priority over other requests.

## **Multiple Copies**

While DCPLD does not buy multiple copies of every title it owns, it does buy multiple copies of titles having high patron demand. The Collections and Systems Administrator determines how many copies of a title should be ordered, and in what format. In subject areas such as resumes and travel books where the interest is in subject more than a particular title, the District prefers to buy one or two copies of several different titles instead of buying numerous copies of one title.

## **Labeling**

DCPLD labels collections to facilitate access by making it easier for customers to locate materials. DCPLD does not label materials to warn, discourage, or restrict access based on a value judgment of the content, language, or themes of an item.

## **Formats**

New formats will be considered for the collection when, by national and community trends and by evidence from local requests, a significant portion of the community population has the necessary technology to make use of the format. Availability of items in the format, the cost per item, and the District's ability to acquire and handle the items will also be factors in determining when a new format will be collected. Similar considerations will influence the decision to delete a format from the District's collection.

**1. Nonfiction:** The nonfiction collection emphasizes timely, accurate and useful informational materials to support individual, business, government, and community interests. It also emphasizes materials that are current and high-demand. Materials are available for all ages and reading levels. Titles with continued value and those of current, accepted authority are part of the library collection. As a new field emerges, the library attempts to respond with timely additions. While most non-fiction materials are selected for their utility, others are acquired for their capacity to enrich and entertain.

**2. Fiction:** Works of contemporary fiction, graphic novels, and classic works of enduring value are included in the collection. Fiction is selected according to the following criteria: book reviews; popular demand; reputation of author and publisher; appropriateness to the library's users; relationship to the existing collection and to other titles and authors dealing with the same subject.

**3. Juvenile:** The emphasis of selection is on children's recreational and general information needs.

**Easy Books** - Easy books may be either educational or recreational in intent, they are distinguished by their illustrations which serve to either supplement, extend, or, in the case of wordless books, supplant the text. In most instances, easy books are read aloud to the child or the child studies the pictures and creates his/her own text.

**Juvenile Fiction** - Juvenile fiction collection is designed to meet the needs of the child now ready to make the transition to shorter chapter books or books with a longer text. An effort is made to include all books that have won children's literary awards. Genres such as sport, animal, science fiction, and mystery are all represented.

**Juvenile Nonfiction** - The nonfiction collection consists of materials to meet informational, educational, and recreational reading needs of children in preschool through grade six.

Because reading levels vary from child to child, a few materials at a higher or lower reading level are included.

**4. Periodicals:** Periodicals are publications issued and received on a regular basis in print or electronic format. Periodicals are selected according to the following criteria: popular demand, whether the periodical is indexed in one of the Library's subscription databases; inclusion in or exclusion by standard indexing resources; cost.

**5. Reference:** Reference materials, whether in print or electronic formats, are those designed by the arrangement and treatment of their subject matter to be consulted for definite items of information rather than to be read consecutively. They can provide quick, concise, and current information or they may serve as an introduction or guide to other materials in the collection. Books in the reference collection are decreasing, and with exception to current encyclopedias, may be checked out by patrons.

**6. Digital Videodiscs (DVD):** The library acquires and makes available DVDs to serve the recreational, informational, and educational needs of the community. The DVD collections consist of a mix of feature films including current high interest, foreign films, and old classics; nonfiction films including travel, exercise, self-help, educational, how-to, and children's films. Delta County Libraries no longer purchases or replaces titles in VHS format.

**7. Sound Recordings:** The collection contains popular, rock, R & B, jazz, world, country western, classical and opera music; fiction and non-fiction books on compact disc. Demand dictates a strong collection of current popular music and books on compact disc and downloadable audio books. Delta County Libraries no longer purchases or replaces titles in cassette format.

**8. Electronic Databases:** This format includes on-line subscription databases available via the Internet. Citation databases provide references to sources of information rather than the actual text or information. Full-text databases include complete articles, documents, and any other resources that provide actual text and information. Electronic resources are purchased based on the following criteria: content; ease of use of the product; accessibility to multiple users; access to needed equipment; and cost.

### **C. Gifts and Donations**

***DCPLD encourages community participation by accepting gifts of money, time and talent to enhance the programs of the Library District. Donations to DCPLD may be tax deductible. The valuation of gifts of tangible personal property and gifts-in-kind shall be the responsibility of the donor.***

#### **1. Books, pamphlets, periodicals and audiovisual materials**

The same principles of selection applied to materials purchased by the DCPLD shall apply to donated library materials. The District will keep materials only if they can be of value to the collection. The Collections and Systems Administrator has final authority over what donations are used in the collection.

#### **2. Gifts and monetary donations**

Donors may indicate preferences for the types of materials to be purchased. However, the library staff is ultimately responsible for the selection of gift materials and will base their decisions on the guidelines set forth in the collection development policy and the mission

and goals of DCPLD. Donors of large monetary gifts can suggest areas of collection development; however, materials selection using large monetary gifts is the responsibility of the Collections and Systems Administrator in consultation with the District Director and with input from the library managers and is to benefit the entire District collection. The Collections and Systems Administrator has final authority over what donations are used in the collection.

Gift materials purchased in memory or in honor of an individual shall not be housed in special collections. The District reserves the right to offer materials to other library branches in the District, or other publicly funded agencies, sell them at its local book sales or otherwise dispose of gift material not added to the collection. The District does not return unused, donated materials to the donor.

### **Materials Not Collected**

Due to finite resources there are certain materials DCPLD does not collect. These include but are not limited to:

**Rare books:** Since it is the public library's function to make materials available to all users, the District does not collect rare or unusual materials that require special handling.

**Textbooks:** The District does not buy textbooks used by the local schools, or colleges, as it is the responsibility of the libraries of those institutions to provide copies of course materials to their students.

**Government Documents:** The District does not actively collect government documents. Some local communities may provide local governmental documents that are provided by donation from the government agency. Federal publications and other information products are made available for free public use in Federal depository libraries throughout the United States.

### **Other materials:**

Hard to catalog materials such as book club editions, obscure DVD titles, pamphlets, chapbooks and books that do not pertain to local history or have local authors are not added to the collection. Condition of items is also evaluated. Items with dirt, grease, highlighting, underlining, excessive age, and any other adverse condition are not cataloged.

### **D. Retention Criteria**

The District operates on the premise that retention and preservation decisions are another type of selection choice. With the same criteria used to select new materials, the District retains or preserves materials of long-standing value to its mission and collections. Condition, content, inherent value, and use are the primary criteria used to determine the continued retention of materials in the collection. Many materials do not withstand the test of time and repeated handling. Likewise, many fields of knowledge are drastically altered by new discoveries and changes in culture. As demand declines, the District selectively removes multiple copies, making exceptions for areas of special importance to the overall collection. The library also removes worn, damaged, and obsolete materials that cannot be

repaired and are no longer usable. An item that is damaged or lost is replaced if it is deemed still useful and is still available for purchase.

### **E. Evaluation Criteria**

Evaluation techniques are used to measure collection usefulness in terms of scope and depth, as well as strengths and weaknesses. Among the measures and evaluation techniques used by library staff are: age and condition of items in the collection; comparison of the collection with accepted core collection lists; frequency of requests placed through the online catalog and interlibrary loan; circulation; in-house use of materials; user surveys; relevance to observed and anticipated community needs and desires; long-term or historical significance or interest.

### **F. Reconsideration of Library Materials**

DCPLD actively supports and adheres to the Library Bill of Rights and abides by the laws of the State of Colorado and the U.S. Constitution concerning intellectual freedom. These laws and documents are key factors in reconsidering materials.

Responsibility for the reading of children and adolescents rests with their parents and legal guardians. While a person may reject materials for him/herself and for his/her children, s/he cannot exercise censorship to restrict access to the materials by others.

Should an individual library user object to a specific item in the collection, the request should be handled as follows:

1. The library manager will listen to the citizens' objections and respond courteously and explain policies, but make no commitment.
2. If the explanation of the selection policies does not satisfy the citizen, s/he shall be given the Request for Reconsideration form to complete and return it to the Branch.
3. The form shall be sent to the Collections and Systems Administrator.
4. The Collections and Systems Administrator will gather reviews and forward the reconsideration form, reviews and a copy of the material under reconsideration to the District Director along with his/her recommendation.
5. The District Director will meet with the executive committee of the DCPLD Board of Trustees. Together they will review the challenge and recommendation and the District Director will respond to the citizen.
6. If the citizen is not yet satisfied, within 30 days of receipt the DCPLD response, s/he may request that the Library Board review the challenge and take appropriate action. The Library Board's decision is final.
7. No citizen may reissue a complaint for the same material for three years.
8. The material will remain on the shelf and be available to the public during the reconsideration process.

### **Acknowledgements**

The Collections and Systems Department acknowledges the permission granted by the *High Plains Library District, Wilkinson Public Library and the Topeka and Shawnee Public Library* for use in borrowing ideas from their policies.

## The Freedom to Read

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that

freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

*1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

*2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

*3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

*4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life.

Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves.

These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

*5. It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

*6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society.

Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

*7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

*A Joint Statement by:*  
American Library Association  
Association of American Publishers

*Subsequently endorsed by:*

American Booksellers Foundation for Free Expression  
The Association of American University Presses, Inc.  
The Children's Book Council  
Freedom to Read Foundation  
National Association of College Stores  
National Coalition Against Censorship  
National Council of Teachers of English  
The Thomas Jefferson Center for the Protection of Free Expression

## **Freedom to View Statement**

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the **First Amendment to the Constitution of the United States**. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

**Endorsed January 10, 1990, by the ALA Council**

## **Library Bill of Rights**

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which 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.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; amended June 28, 1967; amended January 23, 1980; inclusion of "age" reaffirmed January 24, 1996.