

The Klan Wants to Meet at the Library - What Do I Do Now?

Elements of a Good Meeting Room Policy

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Public libraries that maintain meeting room facilities should develop and publish policy statements that govern their use. Libraries may limit their meeting rooms to "library-related" activities, so long as those activities are clearly defined and closely tied to the library's mission statement. If the meeting rooms are opened to the public for events that are not sponsored by the library, all groups must be permitted to use the rooms. For example, if the library opens its meeting rooms to a wide variety of civic organizations, then the library must permit religious organizations to use the rooms as well.

From An Interpretation of the ALA Library Bill of Rights

(see www.ala.org/alaorg/oif/meet_rms.html)

The American Library Association has interpreted its Library Bill of Rights to affirm:

1. Libraries provide meetings rooms as a program of service.
2. They should be made available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting use.
3. Every library should have a policy covering meeting room use.
 - a. The policy should define time, place and manner of use.
 - b. Content of the meeting or beliefs or affiliations of the sponsors should not be qualifications.
 - c. The policy should be available in any commonly used language of the community.
 - d. A notice may be placed near the door stating that the library does not advocate or endorse the viewpoints of meetings or meeting room users.
4. Policies should be inclusive rather than exclusive.
5. Meeting room use may be limited to "library related activities" as long as this restriction is applied equally.
6. Limitation is use may include:
 - a. Frequency of use
 - b. Whether or not meetings must be open to the public
 - c. Admission fees

The Real World: Essential Elements as Applied by New Jersey Libraries

This handout provides examples from the policies of several libraries in New Jersey. They are meant to illustrate the way the essential elements of a meeting room policy have been applied. This list is neither inclusive nor exhaustive.

Philosophy. Policies should include a statement that ties the provision of the meeting room to the mission of the library. For example:

- a. *"The Library is a community resource providing access to information and a facility where ideas are exchanged. To encourage this, meeting rooms are maintained in the library..."(New Brunswick)*
- b. *"As a public institution, the East Brunswick Public Library is dedicated to free expression and free access to information and ideas on all points of view concerning the problems and issues of interest to the residents of East Brunswick. To this end, the Library maintains meeting rooms for library and community use."*

Disclaimer. Libraries may wish to post disclaimers near their meeting rooms, to make it clear that the libraries' policies are neutral. For example:

- a. *"The Library does not endorse the views expressed by any group using the meeting rooms, but does endorse the right of those groups to express their views as long as they abide by the policies and rules governing the use of the Library meeting room." (Ocean County)*
- b. *"The fact that a group or individual is permitted to meet at the public library or use the facilities does not in any way constitute an endorsement of the group's policies or beliefs by the Library Board of Trustees or staff." (Paramus)*

Priorities. Policies may describe scheduling priorities for public meeting rooms.

- a. *"The Library's meeting rooms are primarily intended for the Library's use and for programs sponsored or co-sponsored by the Library." (Ocean County and others)*
- b. *"Priority is given to Library events, then other Borough functions, and finally to community service and non-profit organizations." (Emerson)*
- c. *"The meeting rooms are available for meetings and programs open to the public that are sponsored by non-profit organizations and community interest groups and boards and agencies of the Library, Township, government and schools. Preference is given to East Brunswick organizations, but regional and statewide groups are accommodated when there are no schedule conflicts." (East Brunswick)*
- d. *"The secondary function of the Meeting Rooms is to provide a facility for activities sponsored by local and non-local, non-commercial, non-profit organizations and individuals." (Bedminster)*

Free and Open Clause. Policies should indicate whether or not meetings held in library meeting rooms must be open to the public. If meetings are open to the public, libraries should adopt policy statements that address admission fees. For example:

- a. *"All meetings to be held on library premises are open to the public." (Monmouth County)*
- b. *"Programs are free and open to the public." (Ocean County, E. Brunswick, Newark, others)*
- c. *"Meetings may be restricted to those who meet appropriate and legally acceptable criteria such as age, gender, or medical history but may not exclude non-members of an organization. Organizations do not have to permit non-*

- members to speak, interrupt, or disrupt their programs and presentations. They do have to permit the public to attend, observe and learn." (New Brunswick)*
- d. *"No admission may be charged. No solicitation or collection from the public may be made during any program held in the library." (Monmouth County)*

Restrictions. These can cover a wide range and are tailored to the individual libraries needs, but they must fit within the time, place and manner restrictions and must not address content. They must be applied equitably to all groups.

Restrictions on time

- a. *"Depending on availability, a maximum of four programs dates per year may be requested by nonprofit groups or organizations." (Nutley)*
- b. *"All meetings must end no later than ½ hour before closing, unless a waiver has been given by the Library Director and special arrangements have been made." (Plainfield)*
- c. *"The library will not accept any bookings beyond a three month period." (Monmouth County)*
- d. *"No organization may schedule the use of the meeting room for more than 36 hours per year including meetings canceled or rescheduled by the organization. Dates and times for activities in the Meeting Room must be reserved no later than two weeks in advance of the first date requested." (Bedminster)*

Restrictions on groups

- a. *"Attendance at meetings in the various areas assigned will be restricted to the number of persons permitted in the respective areas by the Building Department of the City of Newark." (Newark)*
- b. *"Meetings will always have present at least one adult who is responsible for the participant's conduct. An adult is a person 18 years of age or older." (New Brunswick)*
- c. *"Following Township policy, at least 60% of the group's members must be Wyckoff residents. Average attendance at meetings should consist of a minimum of 15 people." (Wyckoff)*

Restrictions on activities

- a. *"Only light refreshments may be served. No alcoholic beverages may be served on the premises. Smoking is not permitted in the Library." (Midland Park)*
- b. *"The Meeting Room may not be used for the sale of commercially available goods or services." (Bedminster)*
- c. *"All groups are expected to leave the room clean and as they found it." (Ridgewood)*
- d. *"There will be no wagering, gambling, or games of chance on the premises." (Hillsdale)*
- e. *"The use of open flames or candles in the meeting room is prohibited." (New Brunswick)*
- f. *"The program being held cannot differ from the originally proposed program without prior approval by the Library." (Ocean County)*

Fees. Public libraries may charge nominal fees for use of public meeting rooms, so long as the fee never serves as an obstacle to those who cannot afford to pay.

- a. *"There is no charge for meetings scheduled during regular Library hours." (Elmwood Park)*
- b. *"If you plan on serving refreshments, please enclose a check for \$5.00. This is a room-use fee." (Monmouth County)*
- c. *"\$25.00 per hour and each portion thereof shall be charged for custodial and security service for meetings held when the Library is closed." (East Brunswick)*
- d. *"A donation of \$20.00 is requested for each use of a Meeting Room by a local patron. A donation of \$40.00 is requested for each use of a Meeting Room by a non-local patron." (Bedminster)*
- e. *"The refundable deposit of \$100 may be held in its entirety by the Library upon determination of damage in any form to the room and its furnishings, or theft therefrom." (Plainfield)*
- f. *"The signee[sic] of an application will be completely responsible for any and all damages incurred during the tenancy of the occupants." (Hillsdale)*

Advertising and Publicity. Some libraries have added provisions regarding advertising and publicity to their public meeting room policies:

- a. *"All publicity shall carry the name of the organization sponsoring the Program. The Library shall not be identified or implied as a sponsor without the specific written consent of the Board." (Nutley)*
- b. *"All publicity for non-library sponsored meetings must clearly indicate the name of the sponsoring agency...shall not be publicized in such a way as to imply Library sponsorship of the group activities." (Ocean County)*
- c. *"The Library will not supply any materials for posting or distribution announcing meetings. Attaching signs, posters or other materials to any exterior or interior wall shall not be permitted without the approval of the Board or its delegate." (Nutley)*

Insurance and Hold-Harmless Agreements. Public libraries should not ask patrons to purchase insurance for the privilege of using library facilities. This is particularly true for public meeting rooms, because insurance requirements can become a form of discrimination against groups and individuals who cannot afford insurance. The same is true for hold-harmless agreements, which are a form of insurance, and serve to discourage those who cannot afford to sign such agreements.

A nominal fee may be charged to cover custodial services. Another good option might be to require a refundable security deposit.

The library may impose reasonable conditions that are necessary to ensure safety for people using the meeting rooms and safety of the property of the library, and to ensure that the activity does not interfere with the conduct of normal library operations. For example, the library may require applicants to pay for incidental costs unrelated to the content of the applicants' speech. Such incidental costs should not include costs for

security or public safety, but may include costs for such services as sound amplification and temporary janitorial services. This does not waive the library's right to bring an action for contribution and/or indemnification for claims that might result from the negligence or other wrongful conduct of any person, including the person or organization to whom a permit is issued for using the meeting room.

Please note that without an insurance requirement the library remains free to:

- . Require a formal application and permit to use the meeting room.
- . Charge a nominal administrative fee.
- . Limit events to one at a time.
- . Limit the number of people in the room, per event.
- . Prohibit loud, raucous or disruptive noise.
- . Prohibit littering, or any other activity that might damage the room.
- . Schedule events to avoid overlap, or overuse of the space.