

## **General Guidelines**

In those branches with meeting rooms, it is the policy of the Yolo County Library to provide facilities for meetings of not-for-profit groups. A not-for-profit organization is one whose purpose is service to the community rather than financial gain. It may or may not be registered as a charitable organization. In adopting this policy, it is the intent of the Library to support the Library Bill of Rights, Article Six, "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." Permission to use Yolo County Library facilities is not an endorsement or sponsorship of any group, individual, organization or event.

Fees may be charged to recover various costs including, but not limited to, depreciation of facilities, furniture and equipment, maintenance, repairs, cleaning, and scheduling.

Procedures developed in each branch to implement the meeting room policy must be written and approved by the Library policy team before implementation. All events occurring in Library meeting rooms must adhere to the Policy Addendum concerning First Amendment protections included as **Attachment A** hereto.

## **Priorities**

First priority in scheduling the meeting rooms will be given to library programs and Library-related groups and programs.

## **Fees**

Meeting room fees are reviewed and adjusted periodically by the Library Advisory Board and the Board of Supervisors. Fees are designed to cover the cost of maintenance of the meeting room and equipment and are to be applied equally to all users. Information about fees may be found in the Library's Master Fee schedule, copies of which shall be posted or otherwise readily available at each branch to members of the public upon request.

- Basic use of the meeting room, tables, and chairs will be permitted at no charge when the Library is open.

- Hourly fees may be charged for the use of the room when the Library is closed.
- Fees may be charged for use of the audio-visual equipment to cover the cost of wear and tear, depreciation, maintenance, and usage instruction.
- Fees may be charged for use of beverages, food, and other material that could soil furniture, equipment, walls and carpet. This fee may also include the use of a kitchen, where available.
- Fees may be charged when staff are called in to resolve after-hours problems, such as improperly set alarms.
- Fees may be charged to cover extraordinary cleanings.
- Fees may be charged when paying refunds.
- Fees may be charged to replace lost keys to the meeting room.
- Fees may be charged at a flat rate calculated to cover the County's actual costs in providing security (including security firm charges and County staff time). Such fees must be based solely on objective standards (e.g., the number of event attendees) and may **not** vary based on the nature or content of protected speech expected at the event or any response thereto, including disruptive or unruly behavior by attendees.

*Groups exempt from fees include:*

- The Library and its sponsored programs;
- Friends of the Library organizations;
- Library partners, as determined by agreements between the Library and its partners; and
- Other Yolo County departments and their agents.

## **Refunds**

Refunds may be allowed upon receiving a two (2) week in advance written cancellation notice made by the person originally submitting the reservation. Any refund is subject to a processing fee.

## **General Rules**

These guidelines must be followed in order to retain meeting room privileges. Failure to comply with the policy will result in withdrawal of room reservation privileges.

- In order to provide maximum access to the meeting room for as many groups as possible, restrictions on frequency of use by any group may vary from branch to branch.
- All groups of persons under 18 years of age must be supervised by an adult, who will be responsible for the group's actions.
- All meetings must be open to the public and free of charge; viewpoint neutral political forums may be allowed.
- Friends of the Library may use the meeting room for fundraising activities that benefit the Library, including book sales.
- Groups not associated with the Library must clearly state in any press releases or other publicity that the meeting is not sponsored by the Library and that the presence of the group in the meeting room does not constitute Library endorsement of the policies or beliefs of the group.
- Groups using the meeting room will be responsible for maintaining the order and care of the room and its furnishings, and for the set up and take down of furnishings.
- Smoking, candles, or flames are not permitted.
- Alcoholic beverages are not permitted.
- Smoking is not permitted in the room, within twenty (20) feet of any door, or anywhere at a facility located on a school campus.
- Admission or registration fees may not be charged. Any charges must be limited to defraying the cost of actually participating in the activity, such as craft materials.
- Materials that complement a Yolo County Library program may be sold in the meeting room. For example, authors may sell their books at Library sponsored programs.
- Yolo County Library is not responsible for loss or damage to individual or group property before, during, or after the meeting.
- Attendance may not exceed the stated capacity of the meeting room.
- Equipment, supplies, or personal effects cannot be stored or left in the meeting room before or after use.
- Meeting rooms **may not** be reserved for:
  - the benefit of a private individual;
  - a political rally or campaign for or against a specific ballot issue or candidate, (viewpoint neutral political forums may be allowed);
  - a commercial concern;

- money raising programs (with the exception of Friends groups, where the proceeds benefit the Library);
- social gatherings such as baby showers, birthday parties, dances, etc.;  
or
- any group whose program would interfere in any way with Library services.

# ATTACHMENT A



# COUNTY OF YOLO

Office of the County Counsel

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## MEMORANDUM

TO: All Yolo County Library Staff

FROM: Philip J. Pogledich, County Counsel  
Diana Lopez, County Librarian

DATE: February 16, 2024

SUBJECT: Addendum to Library Meeting Room Policy and Library Code of Behavior

This is an addendum to two existing Library policies: (a) the Library Meeting Room Policy; and (b) the Library Code of Behavior. For activities occurring in Library meeting rooms, this addendum supersedes any contrary language in those policies. It is effective as of the date set forth above and shall remain in effect until it is expressly superseded or rescinded by the County Librarian in coordination with the Office of the County Counsel.

### **Purpose and Need**

The purpose of this policy addendum is to clarify and explain how existing Library policies are to be applied to meetings held by outside organizations, groups, and individuals in Library meeting rooms. In particular, this policy addendum strives to ensure that the Library adheres to its legal responsibilities—including the U.S. Constitution, and especially the First Amendment—with regard to the *content of speech* during public use of Library meeting rooms.

The need for this policy addendum arises from a recognition that some public meetings may include speech that is provocative, and possibly even upsetting or offensive, to attendees. Such situations can be challenging for Library staff and could—but for this policy addendum—be deemed to conflict with the Library Code of Behavior. This addendum provides the “ground rules” for staff to follow and brief guidance of when to contact the County Librarian, County Counsel, or local law enforcement for further assistance.

### **Legal and Policy Framework**

The Library allows outside organizations, groups, and individuals to use its meeting rooms when they are not needed for Library purposes. As noted, such activities may sometimes include presentations or other forms of speech that are controversial and, for some individuals that may attend, outrageous or offensive.

The American Library Association (ALA) provides guidance on the First Amendment and the role of public libraries. Of greatest relevant to this addendum, the ALA advises:

*By virtue of the Fourteenth Amendment, the First Amendment's constitutional right of free speech and intellectual freedom also applies to state and local governments. Government agencies and government officials are forbidden from regulating or restricting speech or other expression based on its content or viewpoint. Criticism of the government, political dissatisfaction, and advocacy of unpopular ideas that people may find distasteful or against public policy are nearly always protected by the First Amendment. Only that expression that is shown to belong to a few narrow categories of speech is not protected by the First Amendment. The categories of unprotected speech include obscenity, child pornography, defamatory speech, false advertising, true threats, and fighting words. Deciding what is and is not protected speech is reserved to courts of law.<sup>1</sup>*

The Office of the County Counsel concurs with this advice, including that the First Amendment protects virtually all speech likely to occur in a public meeting room. This is largely due to the unique nature of public meeting rooms, which are considered a designated or limited public forum for First Amendment purposes in contrast to other areas of the Library that are not specifically held open for speech.

### **The Role of Staff**

Consistent with the legal and policy framework briefly described above, Library staff *shall not interfere* with presentations or other speech by individuals or groups that have reserved meeting rooms based on the *content* of such speech. This is true even if—and indeed, particularly if—their speech could be considered unpopular, controversial, and even offensive to some attendees. It is not the role of staff to discourage or interfere in any way with such speech.

Additional considerations include the following:

1. There is *no First Amendment right to disrupt* protected speech—the rights of meeting attendees are not legally equivalent to the First Amendment rights of the individual, group, or organization that reserved the room. If disruptions occur and meeting organizers need assistance in maintaining order, Library staff should use their best efforts to diligently enforce the code of behavior to discourage and curtail any disruptive behavior that prevents the orderly conduct of a meeting. Appropriate means of intervening, depending on the situation, may include:

- At the start of any meeting with the potential (as determined by the County Librarian or their designee) for disruptive attendee conduct, Library staff are encouraged to advise attendees of the need to maintain an orderly, respectful environment consistent with the First Amendment rights of scheduled speakers;
- As necessary in response to any significant disruptive behavior, Library staff may remind attendees of the need for an orderly, respectful environment. This may include a warning

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<sup>1</sup> See <https://www.ala.org/advocacy/intfreedom/censorship> (accessed on 12/22/2023).

that continued disruptions will result in a request that those responsible leave the meeting, and that the failure to do so could result in the loss of library privileges (including but not limited to being prohibited from attending future events hosted by the same individual, group, or organization) and a request for law enforcement assistance; and

- For good cause, including if the safety of those involved (i.e., speakers, attendees, staff, and anyone else present) is at risk, requesting a short break in the meeting to allow staff to confer with the meeting organizer(s) and, depending on the situation, the County Library, the County Counsel, and/or law enforcement.

2. The safety of Library patrons and staff is of paramount importance. ***Under no circumstance*** shall Library staff physically confront (such as by attempting to remove) a disruptive attendee.

3. Library staff should strive for “early identification” of meetings with the potential to result in disruptions or other threats to the First Amendment rights of those reserving the room (and their invited speakers, if any). The County Librarian should be advised when staff identify a reservation request with such potential. As appropriate, the County Librarian may confer with other Library staff, the Office of the County Counsel, local law enforcement, and those reserving the room to plan how to address disruptions, maintain safety, and handle other concerns well in advance of the meeting, when feasible. This may include having additional County staff present or available by phone (in the case of an after-hours meeting) to advise Library staff and support any response to disruptive behavior or other concerns that arise during a meeting.

4. Those reserving meeting rooms have primary responsibility for maintaining adequate order and supervision of the meeting. In particular, noise must be kept at a level that will not interfere with normal library operations, as set forth in the other policies mentioned above. This addendum focuses on the ***content*** of speech, not other “content-neutral” considerations such as volume.

***Finally***, please remember that permission to use a Library meeting room does not signify that the Library or the County endorses the policies or beliefs of the organization, group, or individual using the room.

If you have questions about this policy addendum, please contact Diana Lopez, County Librarian.