

ADMINISTRATIVE REGULATIONS

ARM 20-80-20

Tab: Patron Services
Section: Facility Usage
Subject: PUBLIC FORUM AND NON-PUBLIC FORUM AND DISPLAY SPACES

SUMMARY

This regulation sets forth rationale and criteria on which designation of public and non-public spaces is based.

Effective Date:

April 12, 2014

Reviewed June 12, 2015

POLICY

a. As part of its public service and information mission, the Johnson County Library makes available in all libraries handout, display and exhibit areas and bulletin boards. The use of these areas is intended to increase public awareness of the broad range of information available in the library collection and to make available information created by and of interest to the local community.

Public Forum Spaces

b. Displays, exhibits, handouts and materials posted on bulletin boards are covered by the intellectual freedom policies of the library. However, not all display and distribution areas are public forum spaces. Public forum spaces are those spaces created by government designation for the use of the public at large for assembly or communication. Materials displayed or distributed in such areas may advocate a position, but the display and distribution do not constitute endorsement of the material's content by the library. Materials cannot be excluded from public forum spaces on the basis of content unless the exclusion is necessary to serve a compelling governmental

interest which cannot be served by less restrictive action.

Designations

c. Both public forum and non-public forum spaces exist in most libraries:

1. Public Forum: All meeting rooms booked for public use are public forum spaces; exhibit cases (except those specifically designated as available for library and County, State or Federal government use only), handout areas, and non-governmental bulletin boards are public forums.

2. Non-public forums: All display areas and those exhibit cases and bulletin boards designated for the use of the libraries and government (County, State or Federal) are not public forums. Pursuant to ARM 20-80-27, all study rooms are non-public forums.

Procedures

d. Each library maintains a current list (reviewed annually) of its display, exhibit, handout and bulletin board areas accompanied by the designation "public forum" or "non-public forum." The designation as a non-public or public forum space may be changed at any time by the County Librarian, pursuant to written procedures that he or she adopts to implement this policy.

AVAILABILITY OF PUBLIC FORUM SPACES

e. Public forum space is available for use by government agencies and non-profit groups engaged in educational, cultural, intellectual, or charitable activities within policies set forth in regulation and within procedures established by the County Librarian.

DISPLAY SPACES

Non-Public Forum

f. Displays are defined as presentations on open shelves or fixtures of materials from the library collections which are available for lending and/or materials or information about materials created or lent by government units or personnel, or on loan from private citizens or groups. Displays are covered by the intellectual freedom policies of the library but are not a public forum.

g. Exhibits (non-public forum) are more formal presentations of library and governmental

materials and regalia. If an exhibit case is declared a non-public forum space, it may be used only by the government and library.

Public Forum

h. The library offers no public forum spaces for displays and exhibits.

i. The library offers limited space for displays of original works of art. The library facilities designated by the County Librarian constitute a library program and shall not create a public forum space.

AUTHORITY

j. Final authority for all materials displayed and made available in handout, display and exhibit space and on bulletin boards rests with the County Librarian, but is delegated operationally to the facility manager in each library. The one exception to this is an all-system exhibit set up at the request of the library administration, in which case delegated authority, rests with the relevant library programs coordinator. The County Librarian is directed to adopt written procedures to implement the terms of this policy. The County Librarian is directed to develop guidelines and criteria to assist with the execution of powers granted herein.

June 12, 2015

**ARM 20-80-20
End**