

Title: Freedom of Expression on Library Grounds

Authority: San Antonio Public Library Board of Trustees **Effective:** January 26, 2022
Policy # 31.15-BTP **Next Review Date:** January 24, 2024

I. Purpose:

The purpose of this policy is to provide direction for the use of external San Antonio Public Library (SAPL) grounds as Free Expression Areas. This policy shall provide:

- A. policy statement
- B. parameters of free expression areas
- C. exceptions and special circumstances
- D. response to violations
- E. implementation authority

II. Definitions:

Term	Definition
Disruptive Activities	Activities which interfere with the primary use of the Library facility
Expressive activities	All non-commercial, verbal or written means by which individuals communicate or express ideas, including artistic performances, demonstrations, public displays, distribution of leaflets or other publications, gathering of petition signatures, voter registration activities, and all other similar activities that are not part of the library’s functions, or not otherwise sponsored by City of San Antonio (COSA) or SAPL or any of its bona fide stakeholder and support groups.
Free Expression Areas	Specifically designated areas on San Antonio Public Library grounds where free expression activities may occur.
Primary Use of the Library facilities	Providing access to the public of library materials and services
San Antonio Public Library grounds	Exterior property that is owned by the City of San Antonio. (At the time of this writing, the following library locations are not considered San Antonio Public Library grounds for purposes of this policy: Molly Pruitt Library at Roosevelt High School, Potranco Branch Library at Mays YMCA, and the Caroline B. and John H. Kampmann Portal at the Briscoe Western Art Museum.)

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III. Guidelines:

A. *Policy Statement*

1. San Antonio Public Library endorses, respects and honors the first amendment rights of the public to receive information from the library and to engage in expressive activity on the exterior of the San Antonio Public Library. Consistent with this policy, library staff is directed to establish and maintain specific outdoor areas as designated public forums subject to the restrictions found in this policy (Free Expression Areas). Free Expression Areas shall be open to the public on a content neutral basis. Use of Free Expression Areas does not constitute endorsement of points of view expressed by any person or group by the City of San Antonio or SAPL. The purpose of this policy is to provide a community environment in which open discussion can occur without disrupting the usual operations of the library, and without interfering with the rights of others. The primary use of Library property and facilities is for activities that are directly related to SAPL's mission and purpose, including access to library materials and services and this policy shall be interpreted in light of that principle. This policy shall be read and applied in conjunction with all Library-wide policies and procedures addressing use of library facilities including, but not limited to those related to the code of conduct, alcohol, smoking, weapons and animals.
2. The Library recognizes that individuals or groups may be opposed to certain expressive activities or speakers. Disagreement with differing opinions is acceptable; however, use of violence or violation of the Library's Code of Conduct policy is counter to creating an environment where issues can be openly discussed and shared. An individual or group wishing to protest an activity is subject to the same standards as the presenters.

B. *Freedom of Expression Areas*

1. The Library is committed to providing an environment where issues can be openly discussed and explored. All individuals may exercise the right of assembly, free speech, and expression in the designated Free Expression Areas on Library grounds. The selection of these areas is guided by the following principles:
 - a. Must not interfere with the usual operations of the Library;
 - b. Must be located in an area conducive to its purpose;
 - c. Will take into account the size of the exterior space and the number of library patrons utilizing the branch.
2. Disruptive Activities are prohibited and include the following:

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- a. Communicating in a manner that is obscene, defamatory, incites violence or unlawful action, or consists of words or threats of physical harm, or is otherwise not entitled to protection as expression;
 - b. Impeding the flow of pedestrian or vehicular traffic on library grounds, or impeding ingress or egress to or from any library facility;
 - c. Disrupting or interfering with library functions, scheduled activities, or others' use of library services;
 - d. Noise at such a level as to disrupt or interfere with library activities;
 - e. Amplification systems or devices are not permitted;
 - f. Advertisement or announcement implying endorsement by the City of San Antonio or the San Antonio Public Library;
 - g. Creating health or safety hazards;
 - h. Damaging, defacing, or destroying any library property or facility or that of a third party, or creating an unreasonable risk of damaging, defacing or destroying library or other property;
 - i. The Area will be left in its original condition when the activity is finished and any leaflets of other related materials left in the Area will be disposed of;
 - j. Violating federal or state law, local ordinances, or SAPL policies or procedures.
3. Indoor spaces of the Library are not covered by this policy. Please refer to the following policies for related information: *Branch Library Meeting Rooms; Rental of Central Library Meeting Rooms, Terraces and Other Spaces; Community Information and Free Printed Materials; Campaign Signs Posted on Library Property; and, Voting and Voter Registration.*

C. Exceptions and special circumstances

1. SAPL library facilities that are not owned or controlled by the City of San Antonio will not have Free Expression Areas. Instead, public sidewalks around the property may be used for freedom of expression activities subject to normal regulations of right of way. Examples of these locations include Molly Pruitt Library at Roosevelt High School, Potranco Branch Library at Mays YMCA, and the Caroline B. and John H. Kampmann Portal at the Briscoe Western Art Museum.
2. During times when a library facility is being used as a polling place (early voting and election days), freedom of expression activities will not be limited to the specific outdoor Free Expression Areas. During these times, free expression activities will be permitted throughout the outdoor areas of the library except as disallowable by law (for example, activity must not

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occur within the designated 100' polling place marker). All disruptive activities as listed in SectionB2 remain prohibited.

D. Implementation and Response

1. The San Antonio Public Library Board of Trustees directs the Library Director or his/her delegates to develop, administer, and maintain the appropriate administrative policies, procedures and guidelines to implement this policy.

IV. Effective Date

This policy is effective immediately.



Paul Stahl, Chair
San Antonio Public Library Board of Trustees

2/2/2022
Date