

**Section:** Administration

**Subject:** Olathe Public Library Outdoor Area(s); Statement as to Freedom of Speech Rights

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**Effective Date:** July 19, 2009 (Rev5/20/15)

**Summary:** This document outlines the type of forum Olathe Public Library is considered under constitutional First Amendment analysis, along with the content-neutral time, place, and manner regulations enforced by Olathe Public Library on expressive activity.

**Policy:** In addition to the branch meeting room located at the Indian Creek Branch (12990 S. Black Bob Rd.), the Olathe Public Library provides the bench located outside of the Main Library (201 E. Park St.), and the two benches immediately west of the handicapped parking spaces outside of the Indian Creek Branch for use by nonprofit community groups of an educational, cultural, political, religious, professional, or business nature. These guidelines will be followed by scheduled groups so that their events and/or activities at the library will be a positive experience for both the library and local organizations.

1. The Olathe Public Library may enforce reasonable time, place and manner regulations as long as the restrictions are content-neutral, are narrowly tailored to serve significant governmental interests, and leave open ample alternative channels of communications.
2. The purpose of the Olathe Public Library's time, place and manner regulations is to preserve library customer's access to the library, to enable the library to continue hosting library events, and to ensure that all individuals and/or groups who adhere to these guidelines have equal access to library facilities.
3. Limiting expressive activity to specific outdoor areas is reasonable and viewpoint-neutral.
4. The outdoor areas are available free of charge and may be scheduled through the library by registering with the library director and/or the branch manager up to three (3) months in advance. Groups using the meeting room for the first time must reserve the room and register with the branch manager or designated representative.
5. Certain exceptions may be made at the library director's discretion for specific community events and organizations.

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6. All meetings/programs hosted by outside groups must be open to the public. Groups holding workshops or other educational functions may collect a registration fee away from the library, but must open the workshop to the library public free of charge if they request entrance to the workshop.
7. The outdoor areas are not available for money raising, sale of items, or private parties. The only exception will be activities sponsored by the Friends of the Library, the Olathe Public Library Foundation, or the Olathe Public Library.
8. Smoking (as defined in Administrative Policy Manual 10-000-01) and/or drinking alcoholic beverages is prohibited.
9. Groups are also responsible for any damage to benches, landscaping, sidewalks, and any other area affected by their activities incurred.
10. Groups using the outdoor area(s) are responsible for setting up before and cleaning up after each event. Groups must return the outdoor area(s) to the condition it was before the group's use of it. Failure by a group to attend to both of these matters will result in the loss of privileges.
11. The outdoor area(s) are available for use by library staff or library board members. Library programs and meetings will be given first priority when scheduling events and/or activities. The library reserves the right to work with outside entities to produce pertinent programs for the community. If necessary, any fees incurred (honorariums, publicity, etc.) will be paid by the library.
12. Individuals and groups using the outdoor area(s) should be aware of the rights of library customers to use the library in an atmosphere conducive to the use of library materials and resources. The library director maintains the authority to deny use of the outdoor area(s) to any group(s) that in her/his judgment will disturb the overall quality of library service in the building due to the size or nature of the event.
13. Groups with regularly scheduled events and/or activities must reschedule those events and/or activities every three months.
14. Due to popularity and limited availability, only one reservation per week is allowed each group.

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15. The Olathe Public Library reserved the right to cancel or suspend event and/or activity permission granted to any group which violates this policy.
  
16. The fact that a group is permitted to sponsor an event and/or activity at the library does not in any way constitute an endorsement by the library of that group's policies or beliefs.
  
17. The Olathe Public Library reserves the right to deny use of the outdoor area(s) to any group that knowingly violates the above listed guidelines.