



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum Supplemental Packet

TO: LIBRARY ADVISORY BOARD

FROM: RACHEL TUSSEY, CMC, DEPUTY CITY CLERK II

DATE: APRIL 19, 2022

SUBJECT: SUPPLEMENTAL PACKET

PENDING BUSINESS

- A. Library Facility Use Policy
 - i. **(EDITED)** Library Facility Use Policy – Final Draft

INFORMATIONAL MATERIALS

- E. The Washington Post Article dated April 17, 2022 submitted by Chair Finn

HOMER PUBLIC LIBRARY

XII. FACILITY USE POLICY

The Homer Public Library welcomes the use of its space by community groups for informational, educational, cultural and civic activities, to the extent that such activities do not interfere with Library operations or use of the Library by other patrons.

GENERAL FACILITY USE GUIDELINES

- All events held within the Library during scheduled operating hours when the Library is open to the public must be of a non-commercial nature, and free of charge, and open to the public.
- Direct or indirect sale of any product or service is prohibited, except for sales sponsored by the Library or Friends of the Homer Public Library. Non-profit organizations may accept donations to cover the cost of program or workshop presentation.
- Permission to use Library facilities does not constitute endorsement of the beliefs or ideas expressed by organizations or individuals using the facility by the Library, staff, Friends of Homer Public Library, or City of Homer. Meetings will not be publicized in a manner that suggests Library sponsorship or affiliation.
- Smoking, drugs, and alcoholic beverages are not allowed in the Library.
- Library facility use is intended for specific events rather than for meetings that recur on a regular schedule. Scheduling of Library facility use will be limited when necessary to ensure equitable access to the facilities for the entire community.
- Users are responsible for complying with all Library rules, for clean-up, and for any damage to the facility, its grounds, or contents.
- Display of pornographic images in public view in the Library is prohibited and may result in loss of library privileges and possible civil or criminal penalties.
- The Library does not assume liability for damage to or loss of personal property, or for any personal injury, which occurs as a result of the actions of the sponsors or participants in meetings scheduled at the Library.

- Homer Public Library facilities and grounds may not be used for activities deemed inappropriate by the Library Director. Special events must comply with Homer City Code Chapter 5.46.
- Homer Public Library, or the Friends of Homer Library, may occasionally co-host events in partnership with outside groups. All such events require authorization from the Library Director.
- Co-hosted events must meet the following minimum requirements:
 - Must be compatible with the Library's mission
 - Must be free and open to all
 - Must not promote a political candidate or cause, or imply library support for any candidate or cause. A public debate or other forum that presents contrasting views is acceptable.
 - Must not place undue burdens on staff or volunteers
 - The Library Director has the discretion to consider other factors as appropriate
- Exceptions to the guidelines of this policy may be granted by special permission of the Library Director.
- Users may appeal the Library Director's decision to the City Manager, whose decision shall be final.

GROUP STUDY ROOM GUIDELINES

- Group study rooms are available for use only when the Library is open to the general public. Rooms are kept locked when not in use. Rules for use of the rooms must be followed. Rules are posted in each room. Capacity of the rooms is 6 individuals, with up to 8 individuals allowed on a case-by-case basis with permission from Library staff.
- Rooms are available on a first-come, first-served basis except when scheduled by Library staff for governmental meetings, one-time educational uses such as proctoring tests, or to accommodate unexpected conflicts in conference room use. Use is limited to a two-hour period. Additional time may be granted if no other groups or individuals wish to use the room.

Use of Group Study Rooms by Individuals

- Group study rooms are intended primarily for the use of small groups. Individuals wishing a quiet study area should use the individual study nooks. If the study nooks do not meet the needs of the individual, a group study room may be used with the understanding that the individual may be asked to vacate the room to accommodate a group.
- Individuals taking proctored examinations may use the group study rooms by appointment. The Library's designated proctor will book rooms for this purpose.

Identification:

- One member of a group must agree to be responsible for the use of the room, and must check in at the front desk. Staff will hold the responsible person's photo ID (or library card if the individual does not have a driver's license or state ID card) while the group is using the room, and will inspect the room for damage and make sure it is locked before returning the ID or library card.
- Patrons taking proctored exams are not required to leave ID at the front desk.

The person signing for a group study room is responsible for seeing that it is used in accordance with the following rules and for any damage that might be done to the room or its furnishings.

- Capacity is not to exceed 6 persons without staff permission.
- No food is allowed. ~~Bottled water~~ **Beverages in covered containers** only.
- Room is to remain unlocked while in use.
- Lights must be on.
- Furniture is not to be removed from nor added to the room.
- Noise levels should not be audible outside the room.
- No materials may be affixed to walls or other surfaces.
- Users must notify the front desk when finished.
- **Room should be left in clean and tidy condition.**

Violation of any of the above rules is grounds for the entire group's forfeiture of use of the room.

CONFERENCE ROOM AND VIDEO CONFERENCE GUIDELINES

The conference room and video conference equipment are intended to further the Library's mission through enriching lives and encouraging informational, educational, and cultural activities. When library activities are not occupying the conference room, other groups may use it during open hours for lawful, noncommercial purposes.

- Library use of the conference room takes precedence. Meetings that interfere with normal Library functions are not permitted.
- Use of the conference room must be scheduled in advance.
- All meetings, programs and video conferences during hours when the Library is open to the general public will be free and open to the public. Exceptions will be made to allow employment interviews that require teleconference or videoconference equipment.
- Conference room capacity of 46 people may not be exceeded.
- Meetings must end 15 minutes before other scheduled meetings and before the Library closes.
- The Library reserves the right, with 24 hour notice, to cancel permission to use the conference room or to provide a substitute room, if available.

Refreshments

A small refreshment preparation area with sink is available in the Conference Room. There are neither cooking facilities nor methods for keeping food heated or cooled. Users are responsible for cleanup and for any damages incurred.

Equipment

- Internet-capable flat screen television monitor
- Projector screen and digital projector
- Laptop computers
- Teleconference equipment
- Videoconference equipment
- Two carousel slide projectors and extra carousels (also available for check out)
- Overhead projector (also available for check out)
- 16 mm movie projector (also available for check out)

The Library is not responsible for any damage to users' equipment. Library staff will explain the proper use of Library equipment before it is operated by non-staff users.

Library ~~video conference~~ equipment may not be used in the following ways:

- Harassment of others
- Violation of Federal or State law
- Unauthorized duplication of protected software or licensing agreements

- Destruction, damage to, or unauthorized alteration of the Library's equipment
- Any unauthorized disclosure, use and dissemination of any personal identification information regarding minors
- Accessing child pornography
- ***Display of pornographic images in public view in the library is prohibited and may result in loss of library privileges and possible civil or criminal penalties.***

Conference Room and Video Conference Requests

- Video conferences sponsored by the Library and by Friends of Homer Public Library receive first priority.
- Groups interested in using the video conference equipment and/or the conference room must first fill out a **Conference Room and Video Conference Application**, which will designate the group member who assumes the duties of Responsible Party for the group. It is advisable to reserve video conference equipment at least two weeks in advance to insure availability.
- Conference room and video conference equipment use may be requested only by adults. Persons under the age of 18 must be sponsored and supervised by an adult responsible for the group.
- The Responsible Party agrees to ensure that Library policy will be followed and accepts financial responsibility for any charges incurred by the group for damage caused to the building or equipment beyond normal wear.
- A reservation is not confirmed until the application has been approved by the Library Director or the librarian in charge.

User Responsibilities

- The Responsible Party must check in with staff before and after a meeting and is responsible for reasonable care of the videoconference equipment, the conference room, and any other equipment used.
- The Responsible Party agrees to ensure that equipment is used according to library guidelines, as demonstrated by library staff.
- Library staff must be notified in advance of cancellations. Failure to notify Library staff in advance may disqualify the user from future use of the room.

- The Responsible Party agrees to ensure that the room is cleaned up and returned to its pre-use condition, including furniture arrangement.
- In order to avoid damage, only materials approved by Library staff may be affixed to walls or other surfaces.
- Abuse of equipment or failure to follow library rules on conference room and video conference equipment use may be grounds for denial of permission for further use.

Videos and films may be used for public programs and in scheduled private meetings but must have public performance rights.

USE OF SPACES OTHER THAN GROUP STUDY ROOMS AND CONFERENCE ROOM

During Library Hours

Use of spaces in the Library other than group study rooms and the conference room for group activities during hours when the Library is open to the general public must be approved by the Library Director as compatible with Library operations and use of the Library by other patrons.

Outside Library Hours

Spaces in the Library other than group study rooms and the conference room may be used for events and meetings during hours when the Library is not open to the general public on a limited basis by reservation and for a fee. All after-hours events must be approved in advance by the Library Director and supervised by Library staff or other supervisors approved by the Library Director. Scheduling of after-hours events is dependent upon availability of an individual approved to supervise. See the **After-Hours Facility Use Agreement** for fees and the conditions of use.

The fee for use may be waived at the discretion of the Library Director on a case-by-case basis for non-profit groups that provide significant support to the Library or Friends of the Homer Public Library.

An After-Hours Facility Use Agreement must be approved by the Library Director.

Censorship battles' new frontier: Your public library

Conservatives are teaming with politicians to remove books and gut library boards

By [Annie Gowen](#)

April 17, 2022 at 7:00 a.m. EDT



Listen to article 14 min



LLANO, Tex. — In early November, an email dropped into the inbox of Judge Ron Cunningham, the silver-haired head chair of the governing body of Llano County in Texas's picturesque Hill Country. The subject line read “Pornographic Filth at the Llano Public Libraries.”

“It came to my attention a few weeks ago that pornographic filth has been discovered at the Llano library,” wrote Bonnie Wallace, a 54-year-old local church volunteer. “I’m not advocating for any book to be censored but to be RELOCATED to the ADULT section. ... It is the only way I can think of to prohibit censorship of books I do agree with, mainly the Bible, if more radicals come to town and want to use the fact that we censored these books against us.”

Wallace had attached an Excel spreadsheet of about 60 books she found objectionable, including those about transgender teens, sex education and race, including such notable works as “[Between the World and Me](#),” by author and journalist Ta-Nehisi Coates, an exploration of the country’s history written as a letter to his adolescent son. Not long after, the county’s chief librarian sent the list to Suzette Baker, head of one of the library’s three branches.

“She told me to look at pulling the books off the shelf and possibly putting them behind the counter. I told them that was censorship,” Baker said.

Wallace’s list was the opening salvo in a censorship battle that is unlikely to end well for proponents of free speech in this county of 21,000 nestled in rolling hills of mesquite trees and cactus northwest of Austin.

Leaders have taken works as seemingly innocuous as the popular children's picture book "In the Night Kitchen" by Maurice Sendak off the shelves, closed library board meetings to the public and named Wallace the vice chair of a new library board stacked with conservative appointees — some of whom did not even have library cards.

With these actions, Llano joins a growing number of communities across America where conservatives have mounted challenges to books and other content related to race, sex, gender and other subjects they deem inappropriate. A movement that started in schools has rapidly expanded to public libraries, accounting for 37 percent of book challenges last year, according to the American Library Association. Conservative activists in several states, including Texas, Montana and Louisiana have joined forces with like-minded officials to dissolve libraries' governing bodies, rewrite or delete censorship protections, and remove books outside of official challenge procedures.

"The danger is that we start to have information and books that only address one viewpoint that are okayed by just one certain group," said Mary Woodward, president-elect of the Texas Library Association.

"We lose that diversity of thought and diversity of ideas libraries are known for — and only represent one viewpoint that is the loudest," said Woodward, noting that there have been an estimated 17 challenges leveled at public libraries in Texas recently and that she expects many more.

Leila Green Little, a parent and board member of the Llano County Library System Foundation, said her anti-censorship group obtained dozens of emails from county officials that reveal the outsize influence a small but vocal group of conservative Christian and tea party activists wielded over the county commissioners to reshape the library system to their own ideals.

In one of the emails, which were obtained through a public records request and shared with The Washington Post, Cunningham seemed to question whether public libraries were even necessary.

"The board also needs to recognize that the county is not mandated by law to provide a public library," Cunningham wrote to Wallace in January.

He declined to comment for this story but said in a statement that the county was aware of citizen concerns and "is committed to providing excellent public library services to our patrons consistent with community expectations and standards, as well as operating within compliance of Texas and Federal statutes."

Dissent over removing books

Cunningham, a two-term judge who was once part of the security detail for then-Gov. George W. Bush, acted quickly on the complaints. He strode into the main library a few weeks later and took two books off the shelves — Sendak's "In the Night Kitchen" — because some parents had objected to the main character in the story, a little boy, appearing nude — and "It's Perfectly Normal: Changing Bodies, Growing Up, Sex, and Sexual Health," a sex education book for parents and children ages 10 and up, that includes color illustrations of the human body and sex acts.

He also ordered librarians to pause buying new material and to pull “any books with photos of naked or sexual conduct regardless if they are animated or actual photos,” emails reviewed by The Washington Post showed.

Texas school districts were already ablaze with book challenges in October, when state Rep. Matt Krause (R), chair of the General Investigating Committee, asked school districts for information on his own list of 850 books, most of them gender- and race-themed, that “might make children feel discomfort, guilt or anguish.” Gov. Greg Abbott (R) jumped into the fray, calling for an investigation of “pornography” in school libraries. One school district removed more than 100 books, although most were reviewed and returned.

EveryLibrary, a national political action committee for libraries that tracks such challenges, said it has seen “dozens of new attacks” on libraries, their governing bodies and policies since the first of the year — in Texas as well as ongoing cases in Montana and Louisiana. In some cases, the challengers are being assisted by growing national networks such as the parental rights group Moms for Liberty or spurred on by conservative public policy organizations like Heritage Action for America, the ALA has said.

At the county’s main library in Llano, director Amber Milum said in an interview that she had already taken it upon herself to put some books away in a file cabinet in her office as early as August, including two popular read-aloud picture books aimed at amusing kids: “I Need a New Butt!” and “Freddie the Farting Snowman.”

The moves circumvented the library’s established practices on objectionable content — including a challenge form to be reviewed by librarians. Isolating or removing books because of subjective or “personal opinions” — finding the content offensive or distasteful, for example — could open up a library to a First Amendment challenge, experts said.

“We didn’t fill out a form, everyone just came in and talked to me personally,” Milum said. “I took notes on everything that everybody was saying, and that’s how it happened.”

Meanwhile, Baker, head librarian at the library branch in the unincorporated community of Kingsland, about 23 miles from Llano, continued to push back. An Army veteran whose grandfather fought in World War II and who has a son in Afghanistan, said she is a firm believer in the Bill of Rights.

“I don’t think we should give in. If we give them even an inch, they will think they can do whatever they want,” she wrote in an email to Milum.

Then in December, the commissioners voted to suspend the county’s e-book system, OverDrive, because, they said, it lacked sufficient parental controls, which also cut off access for the elderly, people with disabilities or those otherwise unable to visit a physical library. Officials say they plan on replacing the system. They also shuttered the libraries for three days just before Christmas to review and reorganize the teen and children’s collections.

“God has been so good to us ... please continue to pray for the librarians and that their eyes would be open to the truth,” Rochelle Wells, a new member of the library board, wrote in an email. “They are closing the library for 3 days which are to be entirely devoted to removing books that contain pornographic content.”

Green Little said not much is known about what administrators did during the time the libraries were closed. The book “Caste: The Origins of Our Discontents,” a work about systemic racism by Pulitzer Prize-winning author and journalist Isabel Wilkerson, has mysteriously vanished, and the fate of several other works remains unknown, she said.

“When I heard books were being taken out of the library, that was a big-time problem for me,” she said. “For others it was the fact that the county was not operating transparently. A small group of private citizens had an inordinate amount of control over county workings.”

Green Little, a mother of two who lives with her family on an 1800s-era cattle ranch outside of town, said it was not easy to take a stand in conservative Llano County, where nearly 80 percent of the majority-White population voted for President Donald Trump in 2020. A Confederate flag still flies at the Civil War memorial.

Some friends stopped returning her calls. Social invitations dried up. Green Little recently threw a Beatrix Potter-themed fundraiser at a park to raise money for the library foundation — complete with a petting zoo with baby lambs. For counterprogramming, Wallace, the wife of the town’s hospital board president, hosted an “adults only” showing of a video of pedophile chasers. It was held at a hall next door to the park at the same time as the garden party. Wallace declined to comment.

A new library board

In January, commissioners voted to dissolve the existing library board — whose members came from Friends of the Library groups and the Women’s Culture Club — and created a reconstituted board of mostly political appointees, including many of the citizens who had complained about books. A retired physician, Richard Day, a Democrat, was denied a seat despite having a master’s degree in library science and experience managing the rare books collection at the University of Texas Medical Branch in Galveston, he said.

Cunningham said in a statement that the restructuring of the library board was in keeping with Texas law and past practices to allow for “citizen participation from different perspectives.” The all-female board is overwhelmingly White and Republican, records show.

And the new board was ready to start focusing on its top priorities, including adding content of “academia, educational value and character building” and consulting with a local Christian school about their needs, Wells wrote in one email. Wells, a member of the local tea party who home-schools her six children, did not return calls for comment.

But she had one more complaint: “There were 3 or 4 patrons present taking notes,” at the group’s meeting, she wrote to one of the commissioners. “That surprised a few of us. Would you be able to persuade Judge Cunningham to keep the meetings closed?”

Last month the board voted to close meetings to the public, which could violate the Texas open meeting laws, experts have said. Panel members often stop to pray over questions brought up in meetings, and until the Lord answers, they can’t resolve them, according to county officials who spoke on the condition of anonymity because they feared repercussions.

The county has argued that although the board will now approve all book purchases going forward, it is operating in an “advisory capacity” only, which means it is not subject to open meeting laws. But if the commissioners simply rubber-stamp the recommendations, they could be, legal experts say.

John Chrastka, executive director of EveryLibrary, said library boards are designed to be independent to protect records, serve the entire community and protect patrons’ First Amendment rights.

“When boards become politicized, there are problems because they either favor one group over another or start to spend taxpayer money in less-than-transparent ways,” Chrastka said. “If a board is motivated by political ideology or a religious agenda, it stops being a public institution because it does not serve the whole public.”

Fired

Baker, who had been head librarian at the Kingsland branch for a year, continued to wage her own resistance. Inspired by a recent book-burning in Tennessee, she created a display in the library with banned titles like “To Kill a Mockingbird” and changed the letters on the variable message board out to front to say “We put the ‘lit’ in literature.” Milum told her to take down the display, then began ignoring her emails, she said.

On March 9, when Milum and the director of human resources appeared at the door of her library, Baker was ready. She knew she had caused waves. With a quaking voice, a visibly nervous Milum read Baker’s alleged offenses: “insubordination,” “creating a disturbance” and “allowing personal opinions to interfere with job duties and procedures.”

Baker was being fired.

After Milum finished reading her termination notice, Baker handed over her timecard and began packing up her belongings — books, supplies for the art class she taught and a small plaque that said, “Your beliefs don’t make you a good person, your behavior does.” A co-worker burst into tears. Baker said goodbye and walked out into the warm spring day, leaving the place that had been a refuge since she left a troubled marriage in Colorado and moved back home to Texas in 2016.

She was sad, but has no regrets about defying the board’s orders, she said.

“You’re taking away people’s freedom to read books and that’s not right,” Baker said. “Your intellectual freedom, your mind, is one of the only things you ever truly own. You can’t go against that.”

‘Things I feared already came true’

One recent spring day, an overflow crowd packed the Llano County commissioners meeting as the panel debated the new library advisory board’s bylaws.

Many who spoke praised the commissioners for their recent work “saving the children of Llano County” from “pornography” and “pedophiles,” often breaking into enthusiastic applause and shouts of “Amen!” Tension erupted when latecomers stuck in the hallway attempted to speak. “I’d like to speak in the name of Jesus!” one man yelled.

When Cunningham spoke, he evoked past trials that the county had weathered — a historic flood, a historic freeze, a historic pandemic — and he sounded tired.

“This has gone way too big and way too heated,” he said. “Both sides need to take a breath. We’re going to get to a solution together.”

Throughout the debate, the commissioners deferred to Wallace, who showed up with an giant binder full of papers, including what appeared to be a color copy of an illustration from one of the offending books. Ultimately, each side scored a small victory — the head librarian would now be a member of the board, as the anti-censorship camp wanted, but the meetings would still be closed to the public.

Baker and Green Little were in the audience, but neither wanted to speak. Baker said she is exploring her legal options with an attorney. Cunningham declined to comment on personnel matters or potential litigation.

Green Little’s group is also consulting attorneys from the American Civil Liberties Union and elsewhere to see if there is any “legal accountability” for the commissioners’ actions.

She said they will keep fighting, but “the things I feared already came true. I expect more of the same — more censorship, more opacity, a library for all curated by the few.”

Magda Jean-Louis contributed to this report.