SCENARIO
Kenoba Public Library was within two miles of a homeless shelter and many homeless individuals, who had to leave the shelter between the hours of 10:00 AM and 3:00 P.M., often went to the library. The new director often found these individuals sleeping or simply sitting in the library and decided it was bad for the library and its “real patrons.” People pay taxes to come and use this library and I won’t have them scared off by the smell or sight of these people. This library is not a shelter and, if they aren’t paying taxes, they have no right to be here." The director then issued a new policy, which prohibited sleeping in the library and occupying the desk for longer than 2 hours, which prohibited sleeping in the library and occupying the desk for longer than 2 hours. Patrons could request the table longer if they had “legitimate” business. [end of quote]

Our Group will present our case in a mock library board meeting in which we will work through Severson’s 4-Step Method for Principled Ethics. In our board meeting, we will review the current policy and discuss whether or not we accept the policy as it stands.

Following our presentation, we will each reflect on the “human Factors” involved in the process of analysis, and will open the discussion for questions and comments from the class.
INTRODUCTION

Elizabeth/Chair – [Call to order] The regular meeting of the Kenoba Public Library Board will now come to order.

Elizabeth/Chair – [Unfinished Business/New Business] As we currently have no Unfinished Business items, let’s move right into our New Business. Is there any New Business?

Hope - Yes, I’d like the board to address complaints voiced by both staff and patrons and consider potential action regarding a new policy recently put in place by our new library director.

As you know, our library is located within two miles of a homeless shelter, which closes its doors from the hours of 10am to 3pm. The many homeless individuals who utilize the shelter frequently make their way to the library where they’re often found sleeping or simply sitting. Our new director decided this was bad for the library and its “real patrons,” the tax payers who shouldn’t be scared off by the smell or sight of the homeless individuals. He suggested that since the library was not a shelter, those who weren’t paying taxes had no right to be in the facility. The director issued a new policy which prohibits sleeping in the library and occupying a desk for longer than 2 hours. Patrons who had “legitimate” business could request an extension on the time limit.

The library director put this policy into place three weeks ago without prior approval of the KPL Board. We are here today to discuss whether or not the policy is ethical and is right for KPL.

DISCUSSION

[We should probably be painfully obvious in working through Severson’s steps, so we might want to include structure/phrasing like...]

Hope - [Step 1] So let’s get the facts straight. We know ...

- **Hope** - The library is near a homeless shelter that is closed during the middle of the day.
- **Elizabeth** - We’ve received multiple complaints about our homeless patrons.
- **Tami** - A policy was implemented based on personal judgment and not presented to the library’s governing body.
- **Amelia** - The policy prohibits sleeping in the library. It also limits access to tables to 2 hours at a time, and extensions can be granted based on subjective rather than objective criteria.
- **Hope** - We’ve received multiple complaints about the new policy.
- **Tami** - Records have since been consulted that indicate 44% of our homeless population is employed and pays taxes.
- **Amelia** - The library currently offers no special programming to assist and support our homeless community members.
• **Elizabeth** - The library is not a shelter; the shelter is not a library. While the two agencies may share similar missions and serve some of the same clientele, they also have distinct functions.

Elizabeth - **[Step 2]** So we’ve got a moral dilemma on our hands. By opening our doors to the homeless, who are members of our community, they have unlimited access to library information resources and services. However, if the homeless are allowed to frequent the library, some patrons of the community do not feel comfortable in the library, thus they may choose to limit themselves from library information resources and services. If KPL discourages the presence of our homeless in order to make the library more inviting, we restrict access to the homeless.

Tami – In addition, the new policy’s restrictions have the potential to give more individuals the opportunity to utilize our facilities, but they could also reduce access, depending on how the policy is enforced.

Elizabeth - **[Step 3]** We need to evaluate the situation based on ethical standards.

• **Elizabeth** – **[Kenoba library standards (mission)]**
  o Mission: The mission of the KPL is to provide an intellectually stimulating environment in order to promote and maintain the intellectual growth of all individuals by providing the highest quality dissemination of and equitable access to adequate information.
  o Purpose: The library is for reading, studying, using the library materials... to aid in the acquisition of knowledge through reading, writing, and quiet contemplation.

• **Tami** – **[Society’s standards]**
  o The library is a public space; they have no other place to go.
  o The homeless represent a social problem; in effect, through their presence they are living information to other library users
  o Society discourages discrimination.
  o Laws of our society prohibit public drunkenness, disruptive behavior, and violence.

• **Hope** – **[ALA standards]**
  o The Library Bill of Rights asserts that library resources should be provided for all people of the community, use should not be denied or abridged because of origin/background/age/views, and facilities should be available on an equitable basis.
  o The Code of Ethics guides us to provide the highest level of service through unbiased and equitable service policies, access, and responses. We must not allow personal beliefs to interfere with fair representation.
  o ALA Policy 61 states it is “crucial that libraries recognize their role in enabling poor people to participate fully in a democratic society, by utilizing a wide variety of available resources and strategies.”

• **Amelia** – **[Legal standards and other libraries’ precedents]**
  o Kreimer case: Court ultimately found that the Joint Free Public Library’s revised rules were constitutional. These included that patrons shall be engaged in library-appropriate activities (which we’ve stated in KPL’s purpose), patrons shall respect the rights of other patrons and avoid disruptive behaviors, patrons shall not be permitted into the building
without shirt/shoes; and patrons whose bodily hygiene constitutes a nuisance will be asked to leave. Patrons can have their case reviewed by the Board.

- Other libraries’ actions: job-seeking skills, volunteer outreach, staff trained to work with homeless, etc.

Elizabeth – [Step 4] There’s definitely a lot to consider. Ideally, our policy needs to be able to withstand public scrutiny.

- Tami – [Old solution] We already know that the policy currently in place has resulted in multiple complaints from multiple library stakeholders: homeless patrons who feel they are being treated unfairly, non-homeless patrons who feel like the quality of their library experience is diminished by the presence of the homeless, and community and staff members who believe the policy does not reflect our core values and mission as a public library in this community.

Hope - Some have also expressed a concern that the policy in question skirts around an unpleasant issue and addresses symptoms rather than finding a productive solution to a larger issue.

- Elizabeth – [New solution] I suggest we revise the policy such that sleeping is prohibited in the library, and individuals found sleeping after one warning will be asked to leave. Public desks and tables can be used for up to 2 hours at a time. After time has expired, the individual or group may request to be placed at the bottom of the waiting list for the next available table for an additional 2 hours. This removes the biased judgment as stated in the policy regarding legitimacy of the patrons’ business.

- Amelia - We should also include that patrons shall respect the rights of other library users. Patrons may be asked to leave if they are behaving disruptively. I also recommend that we develop and establish services to better serve the information needs of the homeless in our community. These programs may include [some stuff].

MOTION TO TABLE ISSUE

- Tami - I move that we table this issue to our next meeting because of time constraints.
- Hope – I second.
- Elizabeth – All those in favor? (Aye.) All those opposed? (No.) [Announce the result] The affirmative has it, and the motion has passed. We will table to our next meeting the development of specialized services for our homeless patrons.

MOTION TO AMEND POLICY

Hope – [Make a motion] In order to better address the issues at hand, I move that we amend the policy such that sleeping is prohibited in the library. Public desks and tables can be used for up to 2 hours at a time, after which the individual or group may request to be placed on the waiting list for the next
available table. This is in addition to the specialized programming the library intends to pursue to more effectively serve our homeless population.

Tami – [Second the motion] I second.

Elizabeth/Chair – [Put the motion to a vote] All those in favor? (Aye.) All those opposed? (No.)
[Announce the result] The affirmative has it, and the motion has passed. Our policy has been amended.

The revised solution takes into account the ethical guidelines set by our Kenoba Public Library and community, the ALA – our professional guiding body, precedents set by other libraries and the legal system, and society at large. Everyone is given equal access to our resources and facilities, and the library strives to support all members of the community through enriching programming and services. Undeniably, we cannot completely satisfy every member of our community regarding this issue, but we can acknowledge that we have done our utmost to consider all of our community members’ needs within a framework of ethical standards.

ADJOURNMENT

Amelia - [Move to adjourn] I move that the meeting adjourn.
Hope - [Second] I second.
Elizabeth/Chair - The meeting is now adjourned.
**LEAD CLASS DISCUSSION**

Possible discussion questions:

1. What *is* the libraries purpose?
2. Is the library’s purpose to do what’s necessary to *benefit* the library itself, or its patrons?
3. When do the rights/needs of one patron weight more than another?
4. Is inconveniencing one person to convenience another justifiable?
5. Does it matter which person has what purpose?
6. Is one person’s purpose more valuable than another’s?
7. Does the library benefit from placing judgment on the purposes of its patrons?
8. How is “utilizing the library’s resources” defined? Who defines it?
9. Is “equal access” subjective?
10. Is “inconveniencing” a homeless individual by not allowing them to occupy a specific space beneficial to the library?
11. Is the library serving its purpose better by creating guidelines tailored to the comfort of the non-homeless population?
12. Is the “comfort” of a non-homeless patron more valid than the “comfort” of the homeless person?
13. Is there a calculable benefit to the library to cater toward one population more than another?
14. Do the homeless individuals *only* utilize “space” in the library, or are there some who “utilize the library” in the same manner as non-homeless individuals?
15. If a homeless individual is actively researching or reading material, what are the odds he/she will get preferential treatment over a non-homeless individual who is not engaged in like activities?
16. Is the right to equal access actually being violated if a homeless individual chooses not to pursue access to the library’s resources?
17. In order to meet the library’s purpose, is it the duty/responsibility of an information specialist to attempt to encourage or engage the non-using individual in activity more suited to the library’s purpose of dissemination?
18. Is an information specialist choosing not to remove a loitering individual detrimental to the library’s purpose in helping individuals seek information because it could potentially “scare off” non-loitering individuals?
19. Does the library actually lose or gain anything by discriminating against the homeless population (putting aside ALA standards)?
ALA Points

As our professional guiding body, I think it’s also important for us to be mindful of the ALA’s guidelines and policies in developing our own library’s policies and practices.

- ALA Hunger, Homeless, & Poverty Task Force (formed 1996)
  - Made a statement (2005) clarifying “that poor hygiene and homelessness are conditions of extreme poverty, not types of behavior…”
  - If we accept that the homeless are part of our community, they must be consider their stake in public places, including the library.

- Library Bill of Rights:
  - Article I asserts that library resources should be provided for all people of the community.
  - Article V says a person’s right to use the library should not be denied or abridged because of origin, age, background, or views.
  - Article VI states that libraries should make facilities available on an equitable basis.

- Code of Ethics of the ALA:
  - Statement I guides us to “provide the highest level of service to all library users through appropriate and usefully organized resources, equitable service policies, equitable access, and accurate, unbiased, and courteous responses to all requests.”
  - Statement VII articulates that “we distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institution or the provision of access to their information resources.”

- ALA Policy Manual
  - If anything, we should be providing more services to our homeless population rather than restricting what we currently offer.
  - Section 61 regarding Library Services to the Poor states that it is “crucial that libraries recognize their role in enabling poor people to participate fully in a democratic society, by utilizing a wide variety of available resources and strategies.”
  - The ALA encourages us to increase “public awareness through programs, displays, bibliographies, and publicity of the importance of poverty related library resources and services in all segments of society” and to offer “training to sensitize library staff to issues affecting poor people and to attitudinal and other barriers that hinder poor people’s use of libraries.”

- ALA Hunger, Homeless, & Poverty Task Force (formed 1996)
  - Made a statement (2005) clarifying “that poor hygiene and homelessness are conditions of extreme poverty, not types of behavior…”
  - If we accept that the homeless are part of our community, they must be consider their stake in public places, including the library.