

## **ACCEPTABLE PATRON BEHAVIOR**

### **POLICY**

To ensure a welcoming, safe, secure, and enjoyable environment where all are equally entitled to use of the facility and library services, Cuba Circulating Library staff enforce the following Behavior Policy.

Our enforcement is designed to preserve access to library services to the maximum extent possible while still maintaining a safe and welcoming environment for the public and for staff. Our intention with our enforcement is to be fair and to build relationships that lead to improved behavior and continued access to our services and facility while protecting patrons, staff and the library facilities.

### **BACKGROUND**

The Behavior Policy covers behavior on Library property, including the lobby, restrooms, meeting rooms, and upstairs spaces. Outside, it includes these areas adjacent to the building: entrances, lawn, benches, and walking paths. The library is considered a limited public forum.

### **REGULATIONS**

#### **Guidelines for Library Use:**

- Ask for help when needed or if you are not finding the resources you need.
- Be considerate of others.
- Respect the facility, equipment and materials.
- Be responsible for your children.
- Be responsible for personal belongings; do not leave them unattended.
- Follow reasonable staff direction.

#### **No Person Shall:**

- **COMMIT OR ATTEMPT TO COMMIT ANY ACTIVITY THAT CONSTITUTES A VIOLATION OF FEDERAL, STATE, OR LOCAL CRIMINAL STATUTE OR ORDINANCE, including but not limited to:**
  - Physically harm another person or group of people.
  - Be under the influence or in possession of an illegal drug or alcoholic substance, firearm, knife or other weapon prohibited by Village Ordinance or State Statutes while on Library grounds.
  - Destroy, deface, or steal Library or another person's property.
  - Obtain and use another person's personal data in some way that involves fraud or deception.
  - Engage in sexual conduct.

- **LEAVE CHILDREN UNATTENDED**
  - Children ages five and under must be accompanied by a responsible adult or caregiver at all times.
  - Children ages six through eight must be in the building with a responsible adult or caregiver.
  - Library staff cannot legally assume the role of parent or caregiver.
  
- **ENGAGE IN DISRUPTIVE, DISORDERLY OR UNSAFE CONDUCT, including but not limited to:**
  - Talk loudly, make noise, or use devices at a volume that disturbs others.
  - Run, throw things, push, shove, fight, climb, jump.
  - Consume food or drink that leaves residue, crumbs, odors, or garbage.
  - Smoke, including vaping, or use other tobacco or marijuana products.
  - Impede or prohibit access to the facility or its contents (e.g. physical impediments such as bicycles, backpacks, large groups of people, etc.).
  - Use of restrooms to bathe, shave, or change clothes where it unreasonably interferes with other patrons' use or staff use of the restroom, or involves willful and lewd exposure in violation of ordinances and state law. It is not a violation for a person to change a dependent's diaper.
  - Deliberately infect others with communicable viruses or diseases or threaten to do so.
  
- **THREATEN, HARASS, HARM OR VIOLATE THE RIGHTS OF LIBRARY USERS AND/OR STAFF, including but not limited to:**
  - Offensive, abusive, or threatening language, gestures or physical acts, including profanity and hate speech.
  - Unwelcome contact between people.
  - Stalk, stare, or invade personal space.
  - Take photos or video of a member of the public or their private or confidential information without their consent.
  - Anyone wishing to film a production must first seek Library Director approval. See Patron Photography and Filming Policy.
  
- **INTERFERE WITH OTHERS' USE OF THE LIBRARY, including but not limited to:**
  - Poor hygiene, body odor, head lice, bed bugs, strong scents, dirty hands, muddy outerwear, severe coughing, or sneezing.
  - Clothing that exposes underwear or private body parts, or is otherwise disruptive. Breastfeeding is not a violation.
  - Shoes, clothing, including tops or shirts, must be worn at all times.
  - Leave personal belongings unattended (e.g., bicycles, scooters, backpacks, bags, personal devices).
  - Loiter or sleep without using library resources or services. Staff regularly

- conduct wellness checks and may need to report sleeping for health and safety purposes.
  - Enter the library with animals, except service animals. Only service animals specifically trained to perform a task for a person with a disability, or animals that are part of a library event, are allowed.
  - Use of wheeled devices such as skateboards, roller-skates, bicycles, scooters, and shopping carts; devices that are allowed include wheelchairs, walkers, strollers, accessibility equipment, and other similar devices when used for their intended purpose.
  - Post or distribute materials. Materials may be posted or distributed inside the library only with prior staff approval and in designated places.
- **CONDUCT SURVEYS, SOLICIT MONEY OR SIGNATURES INSIDE, OR ADJACENT TO, THE LIBRARY:**
    - Solicitations may not be made inside the library or at outdoor library service areas. Solicitations may occur outside the library only if done without impeding entering or exiting the building and must occur at least 20 feet from an entrance or exit, or the outdoor service area. No solicitations may be made at the book drop because of safety concerns.
    - Sales are prohibited without express permission of the Library Director or designee. Requests to conduct sales of goods or services should be made through the Library Director (e.g., books at an author-signing event).
- **ABUSE COMPUTER PRIVILEGES—SEE COMPUTER USE AND INTERNET POLICY.**

## **PROCEDURES**

### **Enforcement**

Library staff will enforce these rules. The Library Director is delegated the authority to enforce these rules and exclude people by the Board of Trustees. The Library Director delegates the authority to enforce these rules to the library staff. Every effort will be made to respond to potentially difficult circumstances of user behavior in a timely, respectful, direct, and open manner that is consistent and fair. We prioritize building relationships with our patrons to encourage appropriate and successful use of the library. Our enforcement is designed to maintain a safe and welcoming library, and to teach anyone who violates this policy how to better behave for next time so as to maintain library access.

Unlawful activities will be reported to local law enforcement agencies. For violations unlikely to cause immediate harm to others and not perceived to be threatening, the person violating the rules will be given at least one warning at the discretion of the library staff; if behavior continues, the person will be asked to leave the premises for the day.

For violations of these rules that cause or are likely to cause immediate harm to others, the person violating the rules may be immediately excluded from the library without first being given a warning.

Refusal to leave when requested may result in a criminal trespass violation issued by Cuba Police Department. In the case of a minor being excluded, every attempt will be made to contact the child's parent or guardian to give notice of the exclusion.

Exclusions may be made for progressively longer times for repeated violations or when harm or potential harm is involved, ranging in time from one week to permanent exclusion and loss of all library privileges. Library staff may interview witnesses and use security video footage. If additional information surfaces about an infraction, an exclusion length may be adjusted by the Library Director or designee.

In a situation where a group of people are implicated in a behavior infraction, library staff will make efforts to ascertain who is responsible. There may be cases where the whole group is treated equally responsible.

An example exclusion progression for behavior that is disruptive, disorderly, or unsafe is below. This example is for relatively minor infractions. More serious or repeat infractions will have a compressed progression.

- 1<sup>st</sup> infraction—request from staff to discontinue behavior; staff will make efforts to offer an alternative way to use library services, as available (e.g. curbside only or virtual services).
- 2<sup>nd</sup> infraction—request to discontinue and warning that behavior can lead to an exclusion; alternative way to use library services, if available, may be required for the day.
- 3<sup>rd</sup> infraction—Asked to leave for the day; staff will offer alternative methods of library use, if available.
- 4<sup>th</sup> infraction—Exclusion for one week. Alternative methods of library use that do not require the facility or physical property will be allowed as relevant for the infraction (e.g. if behavior only presents inside the building, then using curbside and/or virtual services will still be allowed).
- 5<sup>th</sup> infraction—Exclusion for one month. Alternative methods of service may be allowed. See above.
- 6<sup>th</sup> infraction—Exclusion for three months. Alternative methods of service may be allowed. See above.
- 7<sup>th</sup> infraction—Exclusion for six months. Alternative methods of service may be allowed. See above.

Example of exclusion progression for behavior that is threatening, harassing, harmful, or violating the rights of library users and/or staff:

- 1<sup>st</sup> infraction—Exclusion for one week minimum, up to a permanent trespass, depending on severity of the situation.
- 2<sup>nd</sup> infraction—Exclusion for longer period, up to a permanent trespass,

depending on the severity of the situation.

Offering alternative use or library services during the exclusion may not be applicable, depending on the severity of the violation. Staff and public safety and rights will be considered.

If a child, or anyone otherwise needing close adult supervision, has been left unattended in the library, staff will attempt to locate the caregiver. If the caregiver cannot be located, or if the library is closing, law enforcement will be notified.

### **Appeal**

A patron who has been excluded from the library may appeal the notice in writing to the Library Director within 10 days of issuance. The Library Director will schedule a hearing, which shall not take place more than one week after receipt of the written request. The hearing will be informal, and the Library Director will consider testimony from library staff involved in the incident, from the person requesting the hearing, and from any other witnesses to the incident. At the conclusion of the hearing, the Library Director may affirm, modify, or cause the notice to be canceled. A written copy of the decision will be delivered or mailed within 10 days to the person making the appeal. This decision may be appealed to the Library Board of Trustees. That appeal must be in writing to the Board President within 10 days of issuance of the Library Director's decision and the appeal process shall be the same as the appeal to the Library Director, with additional outside review.

App: 3/13/2023