

CHAPTER TWO

CODE OF CONDUCT/CONDUCT ORDINANCES

Every library should adopt a Conduct Ordinance and/or a Code of Conduct and have it approved by the Board of Trustees. Both allow for a uniform, consistent application of discipline to problem situations.

Following you will find the standard Conduct Ordinance developed and recommended by Phil Lenzini. We surveyed 114 public libraries in the Alliance Library System. Five used Conduct Ordinances, and all five followed Lenzini's sample to the letter. Please notice that it is very broad based, establishes a form of progressive discipline, and allows for a form of appeal process.

Most of the libraries on the Safe Harbor Taskforce used a form of "Code of Conduct". The samples shown demonstrate various ways of doing this. All should address progressive discipline and an appeal process. Libraries are not allowed by law to permanently exclude someone from service, although they can use successively definite periods of exclusion. They would need to review the status of the individual at the end of the exclusion period and decide whether the person will be allowed back into the library or whether their behavior in the meantime justifies another exclusion period from the library.

Some of the sample policies in this manual are done by district libraries and some by local libraries. Cited laws may vary accordingly.

CONDUCT ORDINANCE*

The XYZ Public Library is dedicated to providing access to knowledge and information through reading, writing, and quiet contemplation, providing patrons the right to use materials and services without being disturbed or impeded, and providing patrons and employees a secure and comfortable environment. The Public Library Act provides the Board of Library trustees with the general power to carry out the spirit and intent of the Act in establishing and maintaining the library and providing library services and the specific power to “exclude from the use of the library any person who willfully violates an ordinance or regulation prescribed.”

The Board of Library Trustees of XYZ Public Library establishes its conduct ordinance as follows:

Section 1.

A patron who engages in any activity which disrupts the use of library facilities, collections, or services by patrons or materially disrupts the ability of the staff to perform its duties shall cease such activity immediately upon request by the library personnel.

Section 2.

In such instances involving minors, identification will be requested and the incident may be reported to the parent or guardian.

Section 3.

If, following a request, the patron fails or refuses to comply or responds to the request in an abusive fashion, he or she will be required to leave the library premises immediately for the balance of that day. If he or she fails to leave, the police will be summoned.

Section 4.

Library personnel will record instances in which patrons are required to leave the library in a ledger maintained by the library for that purpose. Upon the ____ (library should choose appropriate number) recorded instance in which a patron is required to leave the library premises within a thirty-day period, the Director shall bar the patron from use of library premises for a period of thirty days. Parents and guardians of minors will be notified in writing after the ____ recorded instance in which is required to leave the library and advised of the consequences of any further recorded instances.

Section 5.

Parents wishing to appeal such action may do so upon written request to the Board of Library Trustees.

Section 6.

In the event a patron barred from the use of the library attempts entry to the library during any such period of exclusion, the police will be summoned and informed of the prior action.

Section 7.

* Campbell, Sharon and Phil Lenzini. ADMINISTRATIVE READY REFERENCE.

<http://www.cyberdriveillinois.com/library/isl/ref/readyref/ordinanc/index.htm> (a few minor changes were made in the original at the request of the author).

In the event the patron persists in abusive conduct or disruptive behavior following such a period of exclusion, the Director shall report to the Board of Library Trustees such conduct following prior exclusion and the Board will consider a long-term exclusion of that patron.

Section 8.

This ordinance shall take effect immediately upon enactment and approval according to law and be in full force and effect thereafter. A copy shall be posted within three days of enactment at the library and the secretary shall maintain a certified copy in the official records of the library available for public inspection.

ARTICLE X

CODE OF CONDUCT / RULES OF CONDUCT

Code of Conduct

CODE OF CONDUCT
For the patrons of
The Kewanee Public Library District

The Kewanee Public Library District
offers an environment which is
conducive to reading and studying.

People using the Library are to
conduct themselves in a manner
which is appropriate to the Library's
nature and purpose.

Anyone who interferes with the
proper use of the Library by other patrons,
or abuses Library property on materials,
is subject to removal from the
Library and/or restriction of
library privileges.

DISCIPLINE POLICY

To insure that all patrons may have a considerate use of the Henry Public Library, appropriate behavior is expected. Violation of any of the following rules will result in a warning and/or expulsion from the property. Whenever necessary police will be contacted. The director and supervisory staff have authority to carry out all powers of this policy.

1. No loud talking or boisterous behavior (running, excessive seat changing, etc.).
2. No food or drink may be consumed in the library (except with prior approval of the Library Board of Trustees).
3. No smoking.
4. No destruction or mutilation of library property.
5. No parking bicycles or other vehicles in a manner that block or hinders entry to the library.
6. No conduct which is disruptive to the operation of the library, or threatening to patrons, staff, or library property.

Henry Public Library

RULES FOR CONSIDERATE LIBRARY USE

To insure that Pekin Public Library is a quiet, safe place in which to read and study the following rules for library use were adopted by the Board of Trustees of the Pekin Public Library.

The Board's authority is derived from 75 ILCS 5/4-7. Each board of library directors of a city, incorporated town, village or township shall carry out the spirit and intent of this Act in establishing and maintaining a public library and, in addition to other powers conferred by this act, shall have the following powers.

- I. To make, and adopt such bylaws, rules and regulations, for their own guidance and for the government of the library as may be expedient, not inconsistent with this Act;
- II. To exclude from the use of the library any person who willfully violates the rules prescribed by the board.

Anyone disobeying these rules will be warned and/or expelled from the library for a definite period of time. The Library Director or his/her designated alternate has the sole responsibility for determining the seriousness of the offense and the appropriate action.

The parents of anyone under the age of eighteen (18) will be notified of expulsion. As necessary, the police will also be notified.

These rules were put into effect to address the problem of frequent patron complaints about the excessive noise level in the library.

RULES

1. No audible talking or noises that would disturb reading or studying patrons.
2. No smoking, food or beverages in the library or restrooms.
3. Improper acts which are subject to prosecution under criminal or civil codes of law are prohibited. Any person who maliciously mutilates or removes without authorization any part of the library collection or building may be subject to prosecution. Patrons must assume responsibility for property they damage.
4. No radios, musical equipment, bicycles, or skateboards will be permitted in the building. Skating, bicycling, skateboarding prohibited in Plaza areas.
5. The librarian may ask an individual to leave who is not using library materials and has no reason for being in the library other than idle congregating, socializing and roaming library building and grounds.
6. No wrestling, running, excessive seat changing or other rowdy behavior.

7. No contact will be permitted that interferes with another patron's use of the facility in the manner for which it was not intended.
8. No actions detrimental to patron, staff, or property safety will be tolerated.

PROCEDURE

When the director or his/her designated alternate determines that an individual is behaving inappropriately for the library setting, the Librarian should warn the individual and provide the individual with a copy of the library rules. Explain to the individual that any one of the following actions can be taken if his/her behavior does not improve:

- Contact his/her parents
- Call the police
- Ask the individual to leave the building
- Expel the individual for a definite period of time

IN SOME SITUATIONS IF THE BEHAVIOR IS EXTREME, NO WARNING IS NECESSARY.

If second warning is necessary, call the individual aside and get identification.

If the misbehavior is severe, call the police--such as loud abusive shouting, foul language. Call the police before approaching the individual.

If the individual is under eighteen (18) years of age and his/her behavior warrants expulsion from the library, an attempt will be made to contact parents. If expulsion is for more than one evening, the Director will send a follow-up notice in writing the next day.

Expulsion can be for the evening for minor disruptive behavior, two weeks for abusive talk. Threatening behavior can be penalized with a six-month suspension.

Individuals who have library privileges revoked for more than one evening, will be notified in writing that they have been expelled from the library for a period of time with the description of the incident and a copy of library rules. They will be informed that they are entitled to a hearing with the director, if the Director receives written notice within five (5) days of occurrence. If dissatisfied, a hearing with the Board of Trustees' Service and Policies committee could be scheduled. They will also be told that the next expulsion will be for a longer period of time.

IF AT ANY POINT THE INDIVIDUAL REFUSES TO COOPERATE OR GIVES INCORRECT IDENTIFICATION, NOTIFY THE POLICE. DO NOT ATTEMPT TO RESTRAIN THE INDIVIDUAL IF HE/SHE IS UNRULY, BUT DO GET AN ACCURATE DESCRIPTION OF THE INDIVIDUAL.

In some situations, if you feel that you can accomplish satisfactory results, you may just ask the individual to leave the library grounds if he/she has driven or walked. Before asking a child to leave the library grounds, attempt to determine if

he/she needs a ride home. If they do, and parents cannot be reached, ask the individual to wait in Children's Services under staff supervision.

All discipline action is based on the Director's or her/his designated alternate's discretion as to what is necessary to maintain the safety and integrity of library operations, staff, patrons and property. Therefore, the police may be called whenever the situation warrants it.

When calling the police give details of the incident so they will be prepared to handle the incident. The Director or his/her designated alternate should contact the police and then meet the policeman at the door and direct him to the situation. However, in a truly life threatening situation any staff member should immediately call the police without asking permission.

As soon as possible fill out an incident report.

NOTE: A district library would use the citation 75 ILCS 16/30-55

**PARLIN-INGERSOLL LIBRARY
205 W. CHESTNUT ST.
CANTON, IL 61520**

Library Behavior Policies

Library behavior policies have been adopted by the Board of Trustees to assist library staff in maintaining the peace, comfort, and security and of the library, library users and library staff. Employees should exercise their own judgment and tact in interpreting and enforcing these guidelines.

1.) The library is a tobacco-free facility. The use of any tobacco product anywhere within the facility, or in an area where second-hand smoke can enter the building, is prohibited.

2.) Library users may not harass or bother other library users or library employees on library property. The library enforces a comprehensive harassment policy, which also covers sexual harassment.

3.) Loud, excessive and boisterous behavior is not permitted within the building. This includes, but is not limited to, running; fighting; quarreling; swearing; shouting; rude or inappropriate remarks; and excessive displays of anger.

4.) Library users should not engage in conversations or introduce other sounds or noise, at a volume level that is significantly above the general noise level of the library at that particular time.

5.) No campaigning; petitioning; interviewing; survey-taking; soliciting or sales; or any other speech or conduct, which results in the disruption of library activities, will be allowed within the library or on the library grounds. This does not refer to library-sponsored activities.

6.) All individuals are required to wear shirts and shoes at all times when inside the library. Discretion may be used in the case of very young children.

7.) No animals, except lead dogs for the visually or hearing impaired, will be allowed within the library.

8.) Library users may not conduct lengthy conversations on any telephone within the public area of the library. This includes cellular telephones.

9.) No consumption of food or beverages is allowed within the public area of the library, except in designated area or with permission of authorized employees. Individuals not conforming to this rule will be asked to discard their food or drink or leave the facility in order to consume it.

10.) The library grounds and parking lot should not be used as a playground. The parking lot should not be used for bicycling, skate boarding and

so forth, when in use. The library assumes no liability for individuals using the parking lot during hours in which the library is closed.

11.) All children in second grade or under must be accompanied by an adult (18 or over), while in the library, at all times. If unaccompanied by an adult, children of this age may not remain in the building longer than it takes to locate and to check out a few items. A parent/guardian should be in a position to supervise their child's activity at all times.

12.) All parents, teachers, guardians, baby-sitters and other adults will be held responsible for the actions of the children in their charge while in the library.

13.) All Library users must conform to acceptable standards of hygiene and cleanliness in order to prevent the disturbance of other library users and their use of the facility. Customers exhibiting unsanitary hygiene may be asked to leave the premises.

14.) Any misconduct that disturbs library users or staff, or that hinders others from using the library or library materials is prohibited.

15.) Individuals who require continual staff intervention or who demand continual staff attention with constant requests may have their privileges reduced or curtailed if this behavior interferes with the library staff's ability to perform their duties in the best interests of all library users.

Staff Enforcement of Behavior Rules

1.) **Policies 1-10:** Any library staff member who observes a violation of these ten policies should inform our customers immediately and see that appropriate corrective action is taken. As a general rule, employees should use the utmost discretion when initiating the first warning, since library customers may be unaware of the policy. The initial warning should be delivered as quietly, privately and politely as possible in most instances. As a general rule, less experienced employees, should consult with the Director, professional staff or Library Assistants, particularly when enforcing actions requiring more individual judgment and interpretation, such as Policies 2-4.

2.) **Policies 11-12:** In the case of these two policies, staff should talk directly with a child's parent/guardian and use their own discretion when enforcing these guidelines. Parents should be given a few polite, private reminders concerning these policies before corrective action is initiated. Unsupervised children may be asked to leave the building. If significant problems persist.

3.) **Policies 13-15:** As a general rule, all staff should consult the Director (or person-in-charge) when interpreting these three policies. The Director will generally interpret whether these policies apply to a particular individual or action.

4.) Individuals not conforming to any of the above library policies may be given one polite, private reminder to correct their behavior first, or asked to leave immediately, depending on the severity of the situation.

5.) Occasionally, a library customer may exhibit such obviously inappropriate behavior, that a firm and public reprimand might be considered quite appropriate. (e.g. **Policies 2-4**). In some instances, behavior may be so inappropriate that employees may ask the customer to vacate the premises immediately. The Director and other appropriate staff members should always be informed in these matters.

6.) Library staff should always try to involve another staff member when a situation requires asking an individual to leave the premises.

7.) If an individual is asked to leave and refuses, the director and/or other staff should be notified and assembled for further support. If the situation warrants, staff may call the police for support.

8.) Staff should alert the Director to individuals who continually disrupt library service in some manner. Additional measures may be taken on a case-by-case basis.

9.) Any person may, without prior warning or notice, be removed immediately from the library if his or her conduct on the premises poses a potential or implied threat to the security of any person or property on the premises; or, if the individual's actions present a significant disruption to staff or customers.

10.) Patrons who cause repeated disturbances, violate library policies repeatedly, violate any local, state or federal law or create a significant problem at any one time may have their library privileges revoked or restricted at any time. The Director may bar an individual from the library for up to one month. If the Director wishes to bar an individual from the library for more than one month, he will seek final approval from the Board.

11.) Any redress for grievance regarding any actions taken by library staff to enforce library discipline and behavior guidelines must be submitted in writing to the Director. The director may accept or reject in writing this grievance. If the customer does not accept the Director's response to the written grievance, then the library user may submit a written redress for grievance to the Board of Trustees. The Board of Trustees may accept or reject this grievance with a written response. The Board's decision shall be final.

12.) If the library users complain that a particular policy is not posted, please offer to provide them with a copy of the policy and please inform them that it is impossible to post all library policies.

Unattended Children and Disruptive Behavior

1.) Unattended Children (Preschool through Second Grade):

Staff should make a concerted effort to identify children, preschool through second grade, who are left unattended in the library. If these children are only accompanied by older sibling(s), this does not constitute proper supervision.

Parents of unattended children should be identified and contacted in some way. When a parent is located, whether at home or in the library, library policy should be explained.

If the parent cannot be located, staff may follow two options: 1.) If accompanied by older siblings or friends, the children may be informed of our policy and asked to return home, or 2.) If abandoned by a parent/guardian, staff should continue to monitor the child by seating them in a nearby area, until a parent returns to pick them up. At this time, library policy should be explained. Staff should avoid sending children this age home alone.

2.) Disruptive Children under age eight:

Children who are being disruptive, or in violation of any rule listed above, will be asked to behave by staff. If the disruptive behavior continues, a staff member should inform the parent/guardian that their child is disturbing others. If the adult refuses or is unable to control their child, the family may be asked to leave.

If the child is unattended at the time of the disruptive behavior, staff should follow the same procedures listed above.