



BEHAVIOR POLICY

~~May 11, 2020~~ July 13, 2020

Library users are expected to conduct themselves in a manner that is safe and conducive to study, reading, and exploration of information, and to appropriately share the facility with others. Staff will endeavor to maintain order and safety in and around library facilities and property, and will intervene in an appropriate manner when necessary to maintain or restore order. The Library Director is authorized to enact safety measures in addition to items specifically defined in this policy, based on directives or guidance from federal, state, and local authorities; those measures will be communicated to library users, the Library Board, and city administration.

The public and staff and are encouraged to contact law enforcement when needed.

Disruptive behavior is potentially harmful or dangerous and is not acceptable. Behaviors that are prohibited and may result in the loss of library services and/or criminal prosecution include, but are not limited to:

- Any activity in violation of federal, state, local, or other applicable laws, or library policy
- Verbal or physical threats or harassment of other library users, volunteers, or staff
- Failure to adhere to additional safety and security requirements as noted above
- Unsafe behavior such as fighting, running, or pushing
- Creating disruptive noises
- Public intoxication
- Having animals other than service animals (as defined by the Americans with Disabilities Act) in the library
- Smoking, vaping, the use of e-cigarettes or chewing tobacco products on library property

In addition, library users may not disrupt others' use of the library due to strong, pervasive odors, or manner of dress that unreasonably disrupts others' use of the library or interferes with the library's provision of services. Persons violating these provisions will be verbally warned and may be asked to leave the library and return only if and when the violation is remedied.

Persons who are required by law to register as a sex offender may enter the library to access information and use library resources and services, with the following limitations:

- Such persons may not enter areas designated as children or youth areas, unless they are accompanying their own children. For the downtown library, the children/youth area includes the entire second floor of the building except for the meeting room.
 - ~~The North library at General Beadle School is a community safety zone as defined in SDCL 22-24B-22~~
- Such persons may not remain in the library for a period of time and under circumstances that a reasonable person would determine is for the primary purpose of observing or contacting minors

Registered sex offenders who violate this restriction are subject to the same suspension of library service as with other policy violations. The library also reserves the right to suspend anyone who falls

within this definition whose conduct causes concern among library staff as endangering user safety. Any such suspension will be for a minimum of six months, up to the length of time which the library deems appropriate to the conduct, including the permanent loss of access.

Suspensions:

The Library reserves the right to suspend library services of any person suspected of engaging in any of the above-enumerated activities, or other disruptive or unsafe conduct, for the length of suspension the library deems appropriate, including the permanent loss of access. The following are recommended guidelines for suspension periods; the seriousness of the conduct may warrant immediate and/or lengthier loss of library services, as determined by the Library Director or designee. The Library Director or designee and City Attorney must approve any loss of library services for one week or more.

- 1st offense - Verbal warning that further violation will involve loss of library services; suspension for the remainder of the day if warranted by severity or repetition of behavior after the warning
 - Incidents involving intoxication or drug impairment will result in a suspension of at least one month from the time of the offense. Approval from the Library Director or designee and City Attorney will be sought after the suspension is served. If the suspension is not approved, the patron will be informed of the status as possible
- 2nd offense - Loss of library services for one week
 - Further incidents involving intoxication or drug impairment will result in an immediate suspension of at least six months starting from the time of the offense. Approval from the Library Director or designee and City Attorney will be sought after the suspension is served. If the suspension is not approved, the patron will be informed of the status as possible
- 3rd offense - Loss of library services for one month
- 4th offense – Loss of library services for longer than one month

A one-year reckoning period is in place; if a person has completed a suspension and has no further incidents requiring suspension within one year, any future actions would return to the first offense. Pending suspensions which remain unserved for at least one year or for the duration of the suspension, whichever is greater, will be voided.

Appeal Process:

Any person may appeal their suspension. In order to be addressed in an appropriate timeframe, suspensions of up to six months may be appealed to the Library Director; suspensions of six months or more may be appealed to the Library Board. In the case of a minor, the parent or legal guardian may file the appeal on the minor's behalf.

The person requesting the appeal must complete the appeal form and return it by mail or e-mail to the library at least 10 days prior to the Board meeting. The Library Board will then consider the appeal at their next regularly scheduled meeting, and will provide a written response within three business days of the meeting. The Director or Library Board will withdraw or amend the suspension only if the person appealing the suspension shows good cause for doing so. All decisions of the Director or Board are final.

Previous revisions: [May 11, 2020](#); July 8, 2019; April 8, 2019, March 12, 2018, January 11, 2016; October 12, 2015; August 11, 2014; August 12, 2013; April 8, 2013; April 19, 2012; February 12, 2009; April 26, 2004

Appeal of Library Suspension

The Library Director will consider appeals for suspensions of up to six months.

The Library Board will consider appeals for suspensions of more than six months at its next regular meeting. You will be notified of the time and place of the hearing. The completed appeal form must be delivered to the library at least ten (10) calendar days prior to that Library Board meeting.

All the information below is required:

Date of Appeal: _____

Name: _____

Address: _____

City, State, Zip: _____

Date of Suspension: _____ Length of Suspension: _____

Reason for requesting an appeal: