



~~BEHAVIOR POLICY~~ RULES OF CONDUCT

~~March 8, 2020~~ August 8, 2022

Commented [MS1]: Waiting to hear back from city attorney on proposed changes.

Library users are expected to appropriately share the facility and conduct themselves in a manner that is safe and ~~does not disrupt others 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 at all library locations,~~ and will intervene in an appropriate manner when ~~ever~~ 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 is encouraged to:

- Seek assistance from library staff rather than addressing rules of conduct violations themselves
- Contact law enforcement as needed
- Provide feedback on ways the library can improve

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

~~Behaviors that are~~ Conduct that is prohibited and may result in the loss of library services and/or criminal charges includes, but ~~is~~ is not limited to:

- Any activity in violation of federal, state, local, or other applicable laws, or library policy
- Failing to comply with a reasonable request from library staff
- Failure to adhere to additional safety and security requirements enacted by the library director as noted above
- Failing to care for children under your responsibility as noted in the section below
- Using, distributing or being under the influence of alcohol or illegal substances
- Smoking, vaping, or the use of e-cigarettes or chewing tobacco on library property or within thirty (30) feet of the main entrance
- Verbal, or physical, or sexual harassment or 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
- Damaging, stealing, or destroying library property
- Behavior disrupting other patrons, staff or the business of the library
- Engaging in any behavior which may unreasonably disrupt or interfere with the rights of other patrons to use the library
 - Disrupting due to pervasive odors or manner of dress that is not remedied
 - Disrupting due to noise
 - Using the library facilities for bathing, laundering or extended personal hygiene care
 - Falling asleep repeatedly
 - Leaving personal belongings unattended
- ~~Use of or being under the influence of alcohol or illegal substances~~
- 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~~
~~Advertising, soliciting, fund-raising or selling products, services, or memberships except by the express permission of the library director or their designee~~
- ~~Petitioning or gathering of petition inside the library. Petitioning is permitted outside of the library, so long as the petitioner remains thirty (30) feet or more from the main entrance~~
~~Failure to adhere to additional safety and security requirements as noted above~~

~~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.~~

Unattended Children

The safety of children is of the utmost concern for the Library Board and staff. However, the safety and responsibility of children at the library remains primarily with the parent or caregiver and not with the library or its staff. ~~This policy outlines the expectations and guidelines for use of the library by children.~~

The library provides educational and enriching community spaces, but can pose hazards for unattended children who may encounter circumstances they are unprepared to handle effectively. This may lead to potentially unsafe situations or behavior policy infractions. As a result, parents or caregivers of children age 11 and under must supervise those children at all times. Caregivers must be over the age of 14. Children of every age are expected to adhere to the [Behavior Policy Rules of Conduct](#).

Should a child be found unattended on library premises, staff will attempt to reach a parent or guardian to pick up the child. If a parent or guardian is unavailable, the appropriate authorities will be contacted, to reach a parent or guardian and/or escort the child home. Likewise, if children aged 11 or younger violate the [Behavior Policy Rules of Conduct](#) to the extent that a suspension is imposed, their responsible party must remove them from the library for the duration of their suspension.

~~At staff's discretion, unattended children who do not have transportation at or near closing time will be asked how to contact a parent or guardian. Staff will attempt to contact the parent or guardian by phone and ask that person to pick up the child.~~

Sex Offenders

Persons who are required by law to register as a sex offender may enter the library to ~~access information and use library resources and~~ [use library](#) 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, t~~The children/youth area includes the entire second floor of the building except for the ~~meeting~~[community](#) room.
- 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.

Sales

No products, services, or memberships may be advertised, solicited, or sold, by library staff members, library volunteers, or library patrons, in any areas of the library, subject to the exceptions listed below.

With permission from the library director, events coordinator, or designee, invited speakers and event performers may sell books, music, movies and educational materials as related to their event. The Rapid City Library Foundation, the Friends of the Rapid City Public Library, or another not-for-profit civic, charitable, educational, fraternal, or veteran’s organization may also conduct sales that fit with the library’s mission at times, in places, and in the manner approved by the library director.

Suspensions:

The library reserves the right to suspend the 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 Library Director or designee and City Attorney must approve any loss of library services of more than one day for one week or more. ~~The following are recommended guidelines for suspension periods; t~~ 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.~~

	<u>1st Suspension</u>	<u>2nd Suspension</u>	<u>3rd Suspension</u>	<u>4th Suspension*</u>
<u>General guideline (disruptions and other minor infractions)</u>	<u>1 day</u>	<u>1 week</u>	<u>1 month</u>	<u>6 months</u>
<u>Intoxication or drug-related disruption</u>	<u>1 month</u>	<u>6 months</u>	<u>1 year</u>	<u>2 years</u>
<u>Verbal or physical threats or harassment</u>	<u>3 months</u>	<u>6 months</u>	<u>1 year</u>	<u>2 years</u>
<u>Viewing images which may reasonably be construed as obscene</u>	<u>3 months</u>	<u>6 months</u>	<u>1 year</u>	<u>2 years</u>
<u>Physical assault OR seriously endangering any other person</u>	<u>6 months</u>	<u>1 year</u>	<u>2 years</u>	<u>5 years</u>

*Further suspension periods as determined by the Library Director or designee.

Once approved, suspensions begin from the date of the infraction. When immediate notification of a suspension is not possible, the library will attempt to notify individuals using email or mail.

Entering library property after being notified in person of a suspension and warned on a subsequent visit will restart the current suspension without requiring further approval from the Library Director or City Attorney.

A ~~one~~**two**-year reckoning period is in place; if a person has completed a suspension and has no further incidents requiring suspension within ~~two~~**one** years, any future actions would return to the first suspension.

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; for suspensions of six months or more, the appeal must be submitted 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.

~~Revised March 8, 2021~~

~~Previous revisions~~Revisions: ~~August 8, 2022; March 8, 2021;~~ July 13, 2020; 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 six months or more 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:

