



West Plains Public Library

Code of Conduct

The West Plains Public Library strives to be at the heart of the community, where all come to learn, discover, and create.

In fulfilling this vision, we are committed to providing a safe and positive library experience for everyone upon library premises, which are defined as both upon the interior or exterior of the library building or upon the grounds of the library property.

To maintain a welcoming environment for all, we expect all library users to:

- respect each other, library staff, and library property;
- do their part to contribute to a peaceful library experience;
- follow instructions from library staff members;
- be engaged in activities associated with the use of a public library, namely reading; studying; using library materials or technology; asking reference questions; or attending an authorized meeting, program, or event; and
- follow the library code of conduct and all city, county, state, and federal laws.

Prohibited Behaviors and Conduct

The following activities are examples of behavior prohibited upon the premises of the library. This list is not intended to be inclusive of every prohibited activity or behavior but is provided as a guide. Library staff will intervene to stop prohibited activities and behaviors. Failure to comply with these or with any other established library policy could result in restriction of library privileges, immediate removal from the premises, or exclusion from the library for a specific period of time, as more fully set forth herein. Examples of prohibited conduct include, without limitation:

- Creating a disturbance in any manner that interferes with people's ability to use the library or staff's ability to do their job.
- Speaking loudly or otherwise making noise sufficient to disturb others upon the library premises, including without limitation the use of cell phones, or listening to music or videos without headphones. Cell phone ringers should be set to silent mode. Sound from

headphones must not disturb others. Library staff will determine whether any sound is of sufficient volume to cause disruption in violation of this policy.

- Speaking in an abusive, threatening, profane or harassing manner to library users or to staff.
- Using another person's library card without permission.
- Sleeping in the library for any extended period-of-time.
- Soliciting, campaigning, distributing, or selling any item, material, product, or service, or panhandling on library property.
- Bringing food or uncovered drink into the library, including while using library technology.
- Using tobacco or smoking cigarettes or e-cigarettes; consuming or selling alcohol or marijuana; possessing, selling, or using illegal drugs; or being intoxicated or under the influence of drugs, upon library premises.
- Blocking aisles, pathways or entrances or otherwise preventing access to areas of the library.
- Bringing amounts of personal belongings into the library beyond what fits under a chair or in a study carrel; leaving belongings unattended or otherwise allowing personal belongings to create a disruption to those on library premises.
- Bringing any animal into the library, except a service animal as defined by the Americans with Disabilities Act (ADA) or an animal that is used as part of a library program. Service animals must be under the control of their handlers at all times.
- Riding on skateboards, scooters, or skates in the library or on library grounds; or bringing bicycles inside the library.
- Not being fully clothed, including shirts and shoes.
- Using restrooms for bathing or shaving, or otherwise soiling restroom surfaces.
- Emitting strong odors that interfere with or disrupt others using library spaces.
- Damaging, destroying, tampering with or stealing library materials, software, or equipment.
- Openly carrying, brandishing, or displaying a weapon upon library premises, except that duly licensed law enforcement officers may be upon the premises of the library.
- Making threatening gestures, prolonged staring at an individual in an unwelcome or harassing manner, stalking, unwanted touching, or any behavior deemed intrusive or unacceptable by a person on library premises.
- Abusing, assaulting, causing physical harm (battery), coercing, harassing, fighting, or unlawfully imprisoning another person upon the premises of the library.
- Engaging in sexual activity or conduct upon the premises of the library, including without limitation indecent exposure, sexual touching, sexual harassment, or any other sexual act whatsoever. Sexual acts of any type upon library premises are strictly prohibited.

- Viewing online materials deemed obscene, viewing child pornography, or exposing a minor to pornography (see Internet Use Policy).
- Failing to follow the library's Internet Use Policy.

Consequences for Violations

Consequences for the violation of the West Plains Public Library Code of Conduct upon the premises of the library may include the following:

- Verbal and/or written warning. The library manager will, when reasonably possible, advise the individual of the applicable rule and violation verbally and, if warranted, in writing, and if reasonably possible, afford the individual with an opportunity to correct the alleged violation before implementing a further consequence;
- Brief suspension of library privileges. The library manager may instruct the person to leave the library immediately and not to return for the rest of the day. This consequence may be implemented in the case of repeat violations after one or more warnings, or violations requiring immediate action, considering of the severity of the violation, as determined by the library manager or manager's designee;
- Longer suspension of library privileges. The library manager may remove a person from, and deny access to, all in-person library services, facilities and grounds for a period ranging from more than one day to one year. This consequence may be imposed in the case of repeat violations after one or more warnings, or any violation requiring immediate action, considering the severity of the violation, in circumstances where a one-day suspension is inadequate, as determined by the library manager or manager's designee. Where such suspension is to be implemented, the official trespass procedures below will be followed if applicable; and
- Permanent suspension of library privileges. In extreme cases involving illegal behavior; repeated, continuing, or serious violations of this Code of Conduct; multiple suspensions with no positive change in conduct; or following entry upon library premises after denial of access, the library manager may notify law enforcement and request issuance of a trespass warning and removal of the person from library premises, among other actions available to the library manager or his designee or to law enforcement. Where such suspension is to be implemented, the official trespass procedures below will be followed if applicable.

The parents or guardians of minors will be notified of any consequence except that such notification shall not be required for a verbal warning. Further, the juvenile office will be notified in the case of serious incidents requiring law enforcement and involving a minor.

Trespass Procedure

It is the library's goal that all patrons remain in good standing with the library and have full library privileges. When violations of this Code of Conduct occur, however, the Library Manager, or his designee, can impose a library suspension (where a patron is asked to leave for a period of time as set forth herein, above) or may cause to be issued an official trespass warning (where law enforcement is called and a trespass order is issued to assist with enforcing the suspension).

Definition of Official Trespass Warning

An official trespass warning is set forth in a written document served upon an individual violating this Code of Conduct and informing the person that he or she is banned from the library premises for the period of time set forth in the trespass warning. Presence upon the premises of the library following service of the official trespass warning may result in issuance of a citation for trespass, arrest, and prosecution by authorities.

Guidelines for Issuance of Official Trespass Warnings

The library manager is authorized to engage local law enforcement to issue and serve an official trespass warning to any patron who has seriously violated this Code of Conduct. Official trespass warnings are reserved for those who have threatened staff, patrons, or others upon the library premises, those who are so disruptive that the library cannot be used safely or otherwise engage in its normal course of operations without disruption, those that have engaged in illegal activity, or those violating the policies set forth herein in such a significant or repeated manner that the person should be excluded from the premises of the library.

Procedures for Issuance of Official Trespass Warnings

An official trespass warning is issued and served by law enforcement at the request of the library manager who has determined that a person has violated this Code of Conduct in such a manner as to warrant the issuance of a trespass warning. The library manager may consult with local law enforcement / Director of Community Services in making this determination. The library manager may use the circulation and computer management systems for the purpose of obtaining and issuing an official trespass order.

The duration of an official trespass warning may be for a period of not less than one month, and no more than a period of one year, except in such circumstances involving criminal activity upon the premises of the library, or activity so disruptive that the individual must not be allowed to return to the library for the safety, security, and well-being of those upon the premises of the library.

Law enforcement shall issue and serve the official trespass warning upon the person. If the person to receive the trespass warning is not present upon library premises when law enforcement arrives, the library manager or library staff may notify law enforcement for purposes of service when the person returns, or law enforcement may serve such warning upon the person at a later time at that person's residence or otherwise.

The written trespass warning will set forth the period of time for which the person receiving the warning must not be present upon library premises.

A review of the library's video surveillance recordings may be used to corroborate the receiving person's behavior and may be provided to law enforcement or the prosecuting attorney for purposes of investigating and prosecuting any matter arising from the receiving person's conduct. Further, the library manager, or designee, will complete an Incident Report and enter the trespass information into the Incident Report record.

Violation of Trespass Warning

If a person subject to a trespass warning is present upon the library premises, the library manager, or his designee, will contact local law enforcement, inform local law enforcement of the individual's presence, and request that an officer respond to issue a citation to the individual for trespassing. Should the individual be threatening or pose a danger to any person upon the library premises or

to the physical premises, the library manager or designee may request that the person in violation of the trespass warning be removed from the premises. The library manager or supervisor must also complete an Incident Report once the situation has been addressed.

Right of Appeal

Any person receiving a suspension of in-person library privileges exceeding one day, or a trespass warning, may request, in writing, a review of the suspension or issuance of the trespass warning. The written appeal must be received at the following address within thirty (30) days of the suspension or service of the trespass warning upon the person:

West Plains Public Library
ATTN: Library Manager
750 W Broadway St.
West Plains, MO 65775

The appeal must include a mailing or email address at which the library may correspond with the individual making the appeal. The library Manager will review timely filed appeals, afford the individual a telephone hearing, and will respond in writing within thirty (30) days of the receipt of the appeal. The library manager or manager's designee shall have the power to affirm, reverse or modify the loss of privileges or issuance of the trespass warning. Such decision will be final except as hereinafter set forth.

If the initial decision is upheld by the library manager or manager's designee, then for any suspension of privileges or a trespass warning extending for a period of more than thirty (30) days, an individual may request, in writing, a review of the decision of the library manager or manager's designee. The written appeal must be received at the address set forth above within fifteen (15) days of the issue date of such decision. The library Board of Trustees, or its designee in the form of a sub-committee consisting of not less than three members of the Board of Trustees, will review timely filed appeals, and will hold a hearing within sixty (60) days of the receipt of the appeal. The individual shall be notified in writing at least thirty (30) days before the hearing. At such hearing, the president of the Board of Trustees or the president's designee shall preside over the proceeding. The individual and the library Board of Trustees may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party. The decision of a majority of the Board of Trustees or the majority of the duly-appointed subcommittee shall constitute the decision of the Board of Trustees.

Library staff shall record any such proceeding. Within thirty (30) days of the hearing, the Board of Trustees or the subcommittee hearing the matter shall issue a written decision. The Board or the subcommittee shall have the power to affirm or reverse the loss of privileges or issuance of the trespass warning, or to remand the matter to the library manager, or designee, with further instructions for reconsideration.

All suspensions and trespass warnings issued shall remain in full force and effect during any appeal period, and reversal of any partially or fully expired suspension or trespass warning shall

remove such suspension or warning from the person's record, but shall not otherwise result in additional remedies for the person, whether monetary or equitable in nature.

The library reserves the right to modify these rules at any time. Additional guidelines and policies can be accessed at www.westplainslibrary.org