



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 5/5/2015

Title: Updates to Library Policies D 32.6 (Customer Code of Conduct) and D 32.12 (Unattended Children Policy)

Introduction/Background:

The Library is proposing to update two outdated policies: the Customer Code of Conduct Policy (D 32.6), and the Unattended Children Policy (D 32.12).

Discussion:

The proposed updates to the Customer Code of Conduct Policy are to reflect modern library practices and current concerns about customer behavior. The proposed updates to the Unattended Children Policy were made to address vulnerable adults, to modify the ages of children who may be unattended, and to change the terminology on caregivers.

Conclusion:

Policy updates would result in clearer, more specific, and more modern terminology with regard to customer code of conduct and unattended children and vulnerable adults.

Recommendation:

Approve proposed updates to Library Policies D 32.6 (Customer Code of Conduct) and D 32.12 (Unattended Children Policy).

Fiscal Impact:

None.

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

Department: Library

Telephone: 520-594-5600

Department Director Signature/Date:

Melinda S. Cervantes 4/20/15

Deputy County Administrator Signature/Date:

W. H. A. 4/20/15

County Administrator Signature/Date:

C. Duchutney 4/20/15

PIMA COUNTY, ARIZONA

BOARD OF SUPERVISORS POLICY

Subject: Pima County Public Library – Customer Code Conduct Policy	Policy Number	Page
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Purpose:

To protect **PURPOSE:**

This policy is intended to:

- Protect the rights and safety of Pima County Public Library customers, volunteers and staff ~~and to protect;~~
- Protect the library's materials, equipment, facilities and grounds;

Policy:

- Guarantee that the Pima County Public librariesLibrary is able to carry out its mission; and
- Ensure that access to Library facilities, programs, or services is not negatively impacted by behaviors that create an environment that is unsafe, disruptive, or not conducive to the Library's mission.

POLICY:

Pima County Public Library ("PCPL") facilities are open to people of all ages and backgrounds. Customers are encouraged to use the library to:

- Read newspapers, magazines, books and other materials
- Check out library materials
- Attend meetings and programs
- Use computers
- Conduct research
- Complete homework
- Seek information

CUSTOMER CONDUCT:

1. Safe Environment. The following actions or behaviors are not allowed on Library property:

1. ~~Failing to comply with: a library staff member's request to stop an inappropriate behavior; this Code of Conduct; or, any other library policy.~~

2.1.1. Any act that constitutes a criminal offense under federal, state, or local law, including, but not limited to:

- 1.1.1. Engaging in prohibited activities that relate to material involving the sexual exploitation of minors;
- 1.1.2. Using the Internet for activity that violates Arizona law, including engaging in activities that are harmful to minors when children are present;
- 1.1.3. Theft;
- 1.1.4. Vandalizing library property or causing damage to any other person's property;
- 1.1.5. Indecent exposure, public sexual indecency, lewd acts, or any other sexual offense;
- 1.1.6. Gambling, other than the types exempted by Arizona law;
- 1.1.7. Disorderly conduct, including, but not limited to: fighting; engaging in violent or seriously disruptive behavior; or threatening or intimidating library staff or any library customer;
- 1.1.8. Harassing or stalking library staff or any library customer. This conduct includes, but is not limited to: ~~any person for no legitimate purpose after being asked to desist, filming~~
 - 1.1.8.1. ~~Filming~~ or photographing any person without asking that person's permission; ~~watching a;~~
 - 1.1.8.2. ~~Continuing to film or photograph any person for no legitimate purpose; or engaging after being asked to desist;~~
 - 1.1.8.3. ~~Engaging in any other conduct directed at a specific person (such as persistent staring or gestures) that would cause a reasonable person to fear for his or her personal safety or feel distressed, alarmed, or harassed; or~~
 - 1.1.8.4. ~~Using profane, offensive or abusive language that would cause a reasonable person to fear for his or her personal safety or feel seriously distressed, alarmed, annoyed or harassed; and,~~
- 1.1.9. Possessing, using, selling, or transferring any illegal drug; ~~or~~
- 1.1.10. ~~Trespassing, including knowingly entering Library premises when access and use of library facilities has been suspended.~~
- 3.1.2. Bringing guns, weapons, knives (other than pocket knives), or other items designed or intended to injure or harm people, unless explicitly permitted by law.

~~4. Smoking, chewingrolling, or otherwise using any tobacco (product, marijuana, synthetic tobacco, synthetic marijuana or electronic or other e.g. rolling - cigarettes).~~

~~5. Using abusive or offensive language or gestures.~~

~~1.3. Consuming food (smokeless or drink, except in designated areas, the equivalent).~~

~~6.1.4. Drinking alcoholic beverages or using powdered alcohol products.~~

~~1.5. Not wearing shoes or shirts~~Entering a library building with animals, except for infants~~bona fide service animals as defined by federal and state law.~~

~~7.1.6. Creating tripping hazards, or blocking aisles, exits or toddlers, entrances.~~

~~1.7. Disrupting~~Bringing into the library, or attempting to place or store in the library, any item(s) that:

1.7.1. Interferes with library operations because;

1.7.2. Creates a safety hazard;

1.7.3. Denies space to other customers;

1.7.4. Blocks aisles;

1.7.5. Blocks access to or exit from the building;

1.7.6. Is unsanitary or foul-smelling; or

1.7.7. Has a total dimension in excess of being55-inches (excluding items necessary for medical purposes or child care).

1.8. Leaving packages, backpacks, luggage, or any other personal items unattended.
Unattended items are subject to removal without notice.

2. Personal Behavior. The following actions or behaviors are not allowed on Library property:

2.1. Behaving in a manner that disrupts library operations, including, but not limited to:

8.2.1.1. Being under the influence of alcohol, any drug or other intoxicant.;

~~9. Talking, making noise, running or otherwise behaving in a manner that disturbs other customers.~~

~~10. Entering a library building with animals, except for bona fide service animals.~~

~~11. Using radios, TV's, or other electronic devices if the noise disturbs other customers.~~

~~12.2.1.2. Disciplining a child in a manner that injures the child or disrupts other customers.~~

2.1.3. Loud talking or yelling; or

2.1.4. Running or physical horseplay.

2.1.5. _____

2.2. Allowing a service animal to be disruptive, including, but not limited to, barking or other loud noises, not being under the control of the owner, exhibiting threatening postures and approaching other patrons uninvited.

2.3. Strong, pervasive odors, including body odor, clothing odor, and odors caused by food, perfume or cologne that are injurious to health, indecent, offensive to the senses or an obstruction to the free use or comfortable enjoyment of library premises by other library patrons or library staff.

2.4. Inappropriate use of water fountains or restrooms, including, but not limited to, soliciting or engaging in sexual conduct, bathing, or washing clothes.

~~13. Leaving young children unsupervised or ignoring their disruptive behaviors.~~

~~14. Putting feet or legs on library furniture that isn't intended for that purpose.~~

2.5. Using the library as a place to sleep.

~~15.2.6. _____~~ Soliciting handouts, donations or contributions.

~~16.2.7. _____~~ Conducting sales activities.

2.8. Not wearing shoes or shirts, except for infants or toddlers.

3. Use and preservation of library materials and property. The following actions or behaviors are not allowed on Library property:

3.1. Failing to comply with: a library staff member's request to stop an inappropriate behavior; this Code of Conduct; or, any other library policy.

~~17. Bringing into the library, or attempting to place or store in the library, any items so large or numerous as to interfere with library operations by:~~

- ~~• creating a safety hazard~~

3.2. denying spaceManipulating or bypassing Library systems and procedures, such as those that regulate computer use.

3.3. Unplugging library equipment to utilize an electrical outlet.

3.4. Consuming food or beverages in a manner that:

3.4.1. Creates an unclean environment;

•3.4.2. Disrupts the activities of staff or other customers;

blocking access to or exit from a library

~~18. Bringing into the library, or attempting to place or store in the library, bags, luggage, backpacks, boxes or other items larger than 17" by 22" by 15.5", except if necessary for medical purposes or for child care.~~

~~19. Bringing into the library, or attempting to place or store in the library, any items, regardless of size, that interfere with library operations or are in an unsanitary condition.~~

~~20. Intentional or repeated use of a restroom that is inappropriate, including, but not limited to, bathing or washing clothes in fountains or restrooms.~~

~~21. Exhibiting bodily hygiene so offensive that it constitutes a nuisance or interferes with other customers' use of a library or with staff's ability to perform their jobs.~~

3.4.3. Disrupts the enjoyment of the library by other customers; or

3.4.4. Soils, damages or in any way harms Library materials, equipment and property.

3.5. Consuming food at computer workstations.

3.6. Failure to clean up any residue, wrappings, or spills after the consumption of food or beverages.

3.7. Using furniture for anything other than its intended purpose (e.g. a table is not a foot stool).

22-3.8. Engaging in activities not reasonably associated with use of a public library.

Enforcement:

4. Children in the Library.

Children are expected to conduct themselves in a manner that does not violate the code of conduct or disrupt other customers.

~~These rules will be enforced in a fair and reasonable manner. Library staff and security personnel will intervene to stop prohibited activities and behaviors. Failure to comply with the Library's established policies may result in removal from the premises and, regardless of the customer's age, suspension of library privileges. Law enforcement will be contacted if any customer engages in what is believed to be unlawful or dangerous behavior.~~

4.1. Library staff members are not caregivers or baby sitters. The library is not responsible for any consequences of a parent's or guardian's failing in his or her responsibilities.

4.2. Law enforcement will be called if a parent or guardian does not pick up a minor child within 10 minutes of closing. Additionally, the following actions or behaviors are not allowed on library property:

23.4.2.1. Disciplining a child in a manner that injures the child or disrupts other customers.

4.2.2. Leaving young children unsupervised or ignoring their disruptive behaviors.

4.2.3. Adult loitering in the children's areas for no legitimate purpose.

ENFORCEMENT:

The rules set forth above are not intended to limit PCPL from taking action to ensure safety, security, and excellent customer service. Any behavior that is disruptive or that inhibits or prevents PCPL from providing a safe environment or accomplishing its mission may result in the denial of access to facilities and/or services.

These rules will be enforced evenly, consistently, and fairly. Library staff and security personnel will intervene to stop prohibited activities and behaviors. Law enforcement will be contacted if any customer engages in what is believed to be unlawful or dangerous behavior.

CONSEQUENCES OF NON-COMPLIANCE:

Failure to comply with this and Library's other established policies may result in:

1. The immediate removal of the customer from the premises; and/or
2. Suspending the customer's access to Library facilities for a set period of time; and/or
3. Denying access to specific services and/or programs.

SUSPENSION OF LIBRARY PRIVILEGES:

The librarian may immediately suspend a customer's Library privileges or access to activities, services or facilities if the situation is a serious offense and constitutes a violation of PCPL policies. Examples of serious offenses include, but are not limited to: verbal abuse; violence; threatening behaviors; sexual harassment; vandalism; drug sale, attempted sale or use; intoxication; theft or attempted theft; physical harassment; sexual misconduct; or any behaviors that threaten the safety and security of customers or staff. The librarian may also issue suspensions for repeated violations of library policies.

A suspension may be appealed in writing to the Library Director within 10 calendar days of the date the suspension is issued. The appeal must clearly state why the customer believes that the privileges should be restored. The appeal should be sent to:

Pima County Public Library
Administrative Offices
101 N. Stone Ave.
Tucson, AZ 85701

The Director, or a designee, will review and respond to the appeal in writing within 10 business days of the date the appeal was received. The suspension remains in effect until the Director has reviewed the appeal and issued a decision.

The decision of the Director is final.

UPDATED: _____, 2015



PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

<u>Subject:</u> Pima County Public Library – Unattended Children <u>and Vulnerable Adults</u> Policy	Policy Number	Page
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Purpose:

To set forth the responsibilities of parents, guardians and caregivers whose children or vulnerable adults use the Pima County Public Library.

Policy:

The Pima County Public Library welcomes ~~children to all members~~ of the public libraries and hopes that ~~the children~~ visitors will come to know libraries as warm, inviting, and enriching places. ~~Libraries are open to the all members of the public.~~ Parents, guardians and caregivers must realize that there can be risks associated with leaving children or vulnerable adults unattended ~~at a library~~. The Library does not and cannot act as a baby-sitter or day care center ~~for children~~ and will not monitor children or vulnerable adults who are left unattended.

To enhance the library experience for, and minimize the risk to, children and vulnerable adults, the following requirements apply:

1. The responsibility for the safety and well-being of every child and vulnerable adult using the library rests with the child's ~~parent~~, guardian or assigned ~~chaperone~~ caregiver, not with library personnel.
2. Children under the age of sixeight (8) must be attended at all times by a responsible adult or teen ~~at all times~~ caregiver who is at least 14 years old.
3. ~~Children age sixeight (8) and seven should be under the general supervision of an adult, but may be left unattended for a brief period of time.~~
- 4.3. ~~Children age eight older, and over,~~ vulnerable adults who can understand and follow the Customer Code of Conduct, are welcome to be in the library unattended if they have contact information for a responsible adult or teen who will be available to provide assistance, if needed.
- 5.4. ~~Children~~ are not to remain at the library after closing. If ~~anyone~~ a child under 18, or vulnerable adult is left alone at a library at closing, or if a library closes because of an emergency situation, library staff will attempt to contact a parent, guardian or caregiver. If a parent, guardian or caregiver cannot be contacted, or the child or vulnerable adult is not picked up within 10 minutes after closing, library staff will call law enforcement who will assume responsibility for the ~~child~~ individual.

- ~~6. Parents or caregivers must assure that their children know what procedures should be followed if an emergency situation forces the closure of a library.~~

Definition:

For purposes of this policy, 'vulnerable adult' means an individual who is eighteen years of age or older and who is, because of a mental or physical impairment, unable to:

1. Protect himself from abuse or exploitation by others; or
2. Comprehend or comply with the Library's Customer Code of Conduct.

Adopted: August 7, 2007

UPDATED: _____, 2015