

CHAPTER 6: LIBRARY CONDUCT POLICY

Adopted by Board Action 5/17/2022

GUIDELINES

Library patrons are expected to be engaged in the productive use of the library's resources. This includes reading, studying, researching, attending programs and utilizing library material. Patrons have the right to use the library undisturbed and library employees have the right to work without undue interference. Please note: Adult patrons in the children's or teen areas who are not retrieving children's or teen materials nor are caregivers for a child or teen may be asked to relocate to other areas of the library.

The library will not tolerate bullying in any library space, gathering or program and staff will do all they reasonably can to create a safe space for all library users, regardless of an individual's actual or perceived age, color, creed/denomination, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes/appearance, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. Bullying is defined as the unwanted, aggressive use of physical, social or mental/intellectual power to control, harm or humiliate another person in a repetitive or pervasive manner. All library users and employees should be free of any threat of harm, invasion of property, or gross indignity. In an effort to protect these rights for all persons, the Library Board of Trustees, pursuant to authority granted in City of West Des Moines City Code 2-6, has approved the following rules, which have been adopted as regulations of the City of West Des Moines, section 7-12-2.

No person shall engage in any conduct which disturbs or interferes with the legitimate use of the library, including - but not restricted to - the following:

1. Interfere with the library's right to maintain a clean, pleasant and safe facility.
2. Refuse to follow reasonable directives or instructions from a library staff member.
3. Willfully annoy, harass or threaten another person.
4. Behave in a disorderly, loud, or boisterous manner, including loud conversations.
5. Engage in lengthy conversations (including conversations on cell phones) in areas intended for quiet study.
6. Use any audio, personal communication or computing device in a manner that is disturbing to other patrons. Cell phone ringers should be set to silent or vibrate and device speakers muted or headphones used.
7. Interfere with another person's passage within the library or on library grounds.
8. Solicit funds, "panhandle," or engage in commercial activity unless authorized by library administration.
9. Consume or possess alcoholic beverages unless the Library Board of Trustees has approved of an event or function at the library where alcoholic beverages will be provided. The consumption or possession of alcoholic beverages shall be limited to that provided to those in attendance at the approved library event or function, and shall be confined to a designated area within the library during the event or function.
10. Deface or destroy library property.
11. Relocate or rearrange furniture beyond repositioning existing seating around tables.
12. Eat or drink (unless eating or drinking is specifically allowed in an area or at a particular activity).
13. Use tobacco or smoke in the library, including the use of electronic cigarettes or vaping devices.
14. Sleep in the library or exhibit the appearance of sleep.
15. Remain in the library after regular closing hours.
16. Interfere with patrons' use of the library through poor bodily hygiene which is so offensive as to constitute a nuisance or through excessive use of perfume, cologne or alcohol.
17. Be in any state of inappropriate undress.
18. Bring animals into the library with the exception of service animals or service-animals-in-training as defined by Title II and Title III of The Americans with Disabilities Act and/or Iowa Code 216C.1A.
19. Use sports equipment, skates or a skateboard in the library.
20. Campaign, leaflet, petition, interview or survey patrons or staff in a manner that is disruptive to library activities.
21. Willfully expose patrons and staff to offensive images or language.
22. Engage in sexual activity of any kind, including inappropriate displays of romantic affection.
23. Bring luggage, bedrolls or large bags into the library.
24. Leave packages, backpacks or personal belongings unattended. Personal property must be within sight of the owner. The library assumes no responsibility for belongings left unattended.
25. Use bathrooms for unreasonable or unintended purposes such as bathing or laundering.

CONSEQUENCES

Patrons violating any of the above policies will have the matter called to their attention once. Should the behavior continue, they will be asked to leave the library facility and grounds. Should they refuse to leave, library staff will contact the Director and the West Des Moines Police Department and the patron(s) will be escorted from the premises. A refusal to leave after being asked to leave by staff will be grounds for suspension of library privileges. For minors, a suspension of privileges will be accompanied by an attempt—by phone, email, or mail—to notify a parent or guardian. At the discretion of the Library Director or Head of Youth Services, an attempt may be made to contact the student and/or their caregiver via West Des Moines Community Schools.

MINOR VIOLATIONS

Minor Violations are typically handled by library staff.

1st Offense = Warning/Leave building - suspension of library privileges for the current day

2nd Offense = 7-day suspension of library privileges and signed behavior agreement upon return

3rd Offense = 14-day suspension of library privileges and signed behavior agreement upon return

4th Offense = 30-day suspension of library privileges and signed behavior agreement upon return

Examples of Minor Violations:

- Creating unreasonable noise or engaging in disorderly, loud, or boisterous behavior, using personal electronic equipment at a volume that disturbs others, or otherwise engaging in behavior that interferes with the rights of individuals to use library materials and services.
- Swearing or using foul or offensive language.
- Being in any state of inappropriate undress (examples: no shoes, no shirt, wearing a swimsuit without any additional covering).
- Bring animals into the library with the exception of service animals or service-animals-in-training as defined by Title II and Title III of The Americans with Disabilities Act and/or Iowa Code 216C.1A.
- Refusing to follow reasonable directives or instructions from library staff.
- Disruptive behavior including but not limited to: running, pushing, throwing things, play fighting, using furniture in ways other than intended.
- Inappropriate displays of affection.
- Intentionally entering non-public or locked areas unless accompanied by a staff member or with prior authorization.
- Entering or remaining on library premises after having been notified by library staff not to do so or when library privileges have been suspended. (Suspension periods shown will be added to a current suspension where applicable.)
- Accumulation of violations will be measured on a 30-day rolling basis.

MAJOR VIOLATIONS

Major violations are typically handled by the Director and, if warranted, local law enforcement.

Examples of Major Violations:

- Possessing, selling, distributing, or consuming any alcoholic beverage, controlled substance, or tobacco product on library grounds (including electronic cigarettes or vaping devices).
- Fighting with or physically assaulting staff or other patrons.
- Improper use or destruction of property including but not limited to:
 - Vandalism or destruction of library materials or facilities or the personal property of library patrons or staff
 - Maliciously altering, deleting, damaging, or destroying any computer, peripheral, network, computer program, or data.
- Accumulations will be measured on a 12-month rolling basis.

APPEAL PROCEDURE

Any patron whose library privileges are suspended for more than one day can appeal the suspension by:

1. Contacting the Library Director or other Library Administrator, in writing (via email or letter). The Library Director or designee will consult with staff, review the Incident Report and related documentation, and any written information provided by the patron. The patron may also schedule an appointment with the Library Director or designee to discuss the decision to suspend library privileges. After reviewing information and/or meeting with the patron, the suspension period may be terminated or shortened, or the suspension may remain in place. Library Administration may also require the patron to sign a Behavior Agreement before library privileges are reinstated. The patron will be informed of the Library Administration decision in the most expedient fashion—via telephone call, email, or mailed letter.
2. The patron may appeal the determination of the Library Administration to the Library Board of Trustees via a written notice of appeal within 10 days after receipt of the Library Administration determination. The notice of appeal shall be filed with both the Library Director and the Library Board of Trustees President. The Library Board of Trustees will hold a hearing to discuss the suspension at their next regularly scheduled meeting. A parent or guardian must accompany a minor (under the age of 18) to the hearing.
3. The Library Board of Trustees will hear the appeal and will vote to uphold or dismiss the suspension. Library Administration will notify the patron by letter of the decision of the Library Board of Trustees. The suspension will remain in effect until the Board's decision. The Library Board of Trustees' decision will be final.