

Middleborough Public Library
APPROPRIATE LIBRARY USE

I. PURPOSE

The *Appropriate Library Use Policy* was established:

- to maintain an atmosphere appropriate for work, study, and enjoyment for Library patrons and staff
- to ensure the safety of Library patrons and staff
- to protect the Library's resources and facility from damage
- to guarantee patrons' access to the Library and to its materials

II. BEHAVIOR GUIDELINES

The following list of inappropriate actions and behavior—while not complete—are examples of conduct expressly prohibited on the premise of the Middleborough Public Library:

1. Violating any federal, state, or local laws including fire/health codes and regulations.
2. Violating any Library policy including the *Technology Use Policy* and *Safe Child Policy*.
3. Threatening the safety or rights of another person, including but not limited to, violent or disorderly behavior, threats of violence or abusive language and possession of weapons.
4. Creating a disturbance by noisy or disruptive behavior.
5. Theft of Library materials, use of a false identification to obtain a Library card, or use of another person's Library card without his/her permission.
6. Destruction or defacement of the Library building, property, or materials.
7. Blocking of public entrances or interfering with users entering or exiting the building.
8. Smoking, chewing, and other tobacco use in the building.
9. Bringing animals into the building without the permission of the Library Director—except in cases of certified guide dogs or other disability-assistive animals.
10. Soliciting without the permission of the Board of Library Trustees. The fundraising efforts by *The Friends of the Middleborough Library* are exempt.
11. Entering a non-public area of the Library without the permission of a staff member.
12. Refusing to comply with reasonable requests of Library staff.
13. Neglecting to provide proper supervision of children.
14. Littering.
15. Patrons shall not be permitted to enter the building without a shirt or other covering of their upper bodies or without shoes or other footwear.
16. Patrons whose bodily hygiene is offensive so as to constitute a nuisance to other persons shall be required to leave the building
17. Any covered beverages brought in are permissible, but should not be near the computers and other electronic equipment.
18. Bringing in garbage, articles with a foul odor, or articles which alone or in their aggregate, impede the use of the Library by other users.
19. Using wheeled devices on the premise of the Library—except in designated areas—including skateboarding, roller-skating, bicycling, scooters, and shopping carts. Exceptions include wheelchairs, walkers, strollers, and other assistive devices.
20. Using audible devices without headphones or with headphones set at a volume that disturbs others. Using cell phones, pagers, and other communication devices within the Library. Cell phone and pager audible ringers must be turned off.
21. Lying down or sleeping in the restrooms or on any floor, couch, table, or seat in the Library. Blocking aisles, exits, or entrances by sitting or lying down in them.

III. EXPULSION FROM BUILDING/SUSPENSION OF LIBRARY PRIVILEGES

Failure to comply with the behavior guidelines stated above will result in the offending patron(s) being asked to leave the Library; continued noncompliance will result in the suspension of Library privileges.

The Director delegates to staff designee(s) the authority to request a user to leave the building. If the Director is present, he/she may be asked to take the necessary disciplinary action—including expulsion.

Patron(s) acting inappropriately are generally given two verbal warnings and then asked to leave the premises. Particularly egregious behavior may warrant immediate expulsion. Patron(s) asked to leave the facility for disciplinary reasons are at a minimum barred for the remainder of the day.

It is important to emphasize that at no time will physical force be used by Library staff to remove a patron from the premises. Another staff member on duty should accompany the staff designee or Director when a patron is informed that he/she is requested to leave the building. If the patron resists and immediate removal is deemed necessary, the police will be contacted.

Barring a patron for a period longer than one day is a decision that will be made by the Library Director and/or the Board of Trustees. The Library Director is authorized by the Middleborough Public Library Board of Trustees to exclude any problem user from the privileges of the Library.

The ability to use a public Library implicates an important first amendment right. The U.S. District Court held that the suspension of an individual's Library privileges is an occurrence important enough to warrant due process protection. No patron shall have his/her Library privileges suspended without first offering the patron a pre-deprivation hearing to contest the pending suspension.

In order to justify a suspension of Library privileges, the Director and/or Board of Trustees must, at such a hearing find/cite specific conduct on the patron's part that constitutes a violation of clearly established Library policy and/or state statute concerning Public Library access and use.

A notice of suspension of Library privileges will be attempted to be sent by certified mail, return receipt requested, to the last known address of the patron—or in the case of a minor, his/her parent(s) or guardian(s). A copy of this correspondence will be sent to the Town Manager and the Police Department.

An appeal of the suspension may be made—in writing—within ten (10) days of the receipt of the notice of suspension to:

Middleborough Public Library
102 North Main Street
Middleborough, MA 01826
Care of the Board of Library Trustees

The patron, or in the case of the minor child, the parent(s) or guardian(s), will be notified by the Board of Library Trustees the date and time of the hearing for the appeal.

Approved by the Board of Middleborough Public Library Trustees on March 11, 2019.