

Public Behavior in the Library Policy

Policy Statement

Bay Shore-Brightwaters Public Library has adopted this Public Behavior in the Library Policy for the safety and comfort of all who use the Library. For the purpose of this policy, the Library is defined as the building, grounds and parking lot. Accordingly, the Library Board of Trustees has established procedures and rules, in accordance with Section 262 of the Education Law of the State of New York, by which patrons and visitors may enjoy the Library's facilities and services.

The Board of Trustees of Bay Shore-Brightwaters Public Library views the use of the Library and its facilities as essential to the fulfillment of the Library's mission. As such, the Board subscribes to Article IV of the American Library Association's Library Bill of Rights, which states that facilities should be made available to the public served by the Library on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use. Accordingly, the Public Behavior in the Library Policy and the Rules of Conduct herein should be observed by all Library users and shall be applied without discrimination and in the best interests of all.

Library users who violate the Rules of Conduct may be subject to suspension of their Library privileges, exclusion from the Library, and/or legal action. A copy of the Rules of Conduct is posted on the public bulletin board of the Library.

Rules of Conduct

For the most effective use of the Library, patrons are expected to observe rules of common courtesy. Patrons who are not courteous to others will be asked to stop the discourteous behavior or leave the Library. Discourteous behavior which will not be tolerated in the Library includes but is not limited to:

Harmful, Disruptive, or Destructive Behavior:

- Engaging in conduct that interferes with other Library users' ability to reasonably use the Library
- Using loud, abusive, obscene or threatening language or actions
- Interfering with other Library users' reasonable expectations of privacy
- Creating unreasonable noise such as loud, boisterous talking or using personal electronic equipment without headphones or at a volume that is audible to others
- Cell phones should be on vibrate mode or turned off when entering the building. Talking on cell phones should be limited to the lobby or outside the main entrance
- Throwing, running, climbing or playing sports
- Using Library materials, equipment, furniture, fixtures or the facilities in a destructive, abusive or potentially damaging manner, in a manner likely to cause personal injury to any person or in any other manner inconsistent with the customary use thereof
- Carrying weapons or weapon-like items on the Library premises
- Using skateboards, bicycles, or rollerblades in the building, on the sidewalks or in the parking lot
- Soliciting, petitioning, or distributing materials or canvassing on Library premises
- Disobeying the reasonable direction of the Library Director or the Director's designee

Illegal Activities:

- Committing or attempting to commit any activity that constitutes a violation of any federal, state, or local statute or ordinance
- Engaging in sexual conduct or indecent behavior on Library premises, as defined under New York Penal Law
- Using controlled substances on Library premises
- Smoking or other use of tobacco inside the Library

- Consuming alcoholic beverages on Library premises

Other inappropriate behavior:

- Bringing animals, other than service animals, inside Library buildings without the prior permission of Library staff
- Prolonged or chronic sleeping
- Using Library restrooms for bathing, shaving, washing hair, or other matters of personal hygiene
- Entering the building without shirts and/or shoes
- Exhibiting personal hygiene which disrupts others from using the Library
- **Entering the Library with shopping carts, luggage, or any other thing designed to convey personal items that is larger than a briefcase, school-sized backpack, or laptop computer bag.**
- Loitering on Library grounds
- Parking vehicles on Library premises when not using the Library
- Exhibiting any other condition or action which in the judgment of the Director disrupts the operation of the Library or its use by others or which endangers the health, safety, or welfare of Library users or employees

Response to Infractions

The Library Director or the Director’s designee shall be responsible for the enforcement of these Rules of Conduct. Unacceptable behavior on the part of the Library user can result in loss of Library privileges. Depending on the severity of the violation, the Library will institute discipline ranging from a verbal warning, through denial of specific privileges, such as use of Library computers, to denial of the right to use the Library for a specified time period.

The Director or the Director’s designee may either direct the trespasser to cease and desist the violation or vacate the premises. Upon the refusal of such person to obey the directive, the Director or the Director’s designee is hereby authorized and directed to make a complaint to the appropriate law enforcement agency and to sign any information as necessary charging said trespasser with the appropriate violation of the Penal Law. In situations where the Director or the Director’s designee feels that the health, safety, or security of Library users is threatened, any and all appropriate action may be taken including, but not limited to, calling the police for assistance. In the event of inappropriate behavior by a minor, the child’s parent or guardian may be notified by the Library at the discretion of the Director. At the first opportunity, the Director or the Director’s designee shall follow the established procedures for recording the facts and circumstances surrounding the enforcement of this policy by completing an Incident Report Form.

The Library shall indemnify and save harmless the Library Director or the Director’s designee, and any Library personnel, from any action, claim or proceeding instituted against such person arising out of the enforcement of these rules and regulations by such Library personnel.

In addition to all of the foregoing summary remedies against the trespasser and /or person in violation of law and these rules and regulations, the Library Director may thereafter, in his/her, sole discretion, take the following action with respect to the following categories of persons:

District residents may have their privileges to use the Library’s facilities and/or services suspended for a period not to exceed one year. All other Library users may be subject to the same restrictions. The Library Director may, at his/her discretion, notify other agencies of actions taken.

Employees are subject to the provisions of this policy, applicable portions of the Civil Service Law, New York State “employment law”; the Education Law; and pertinent personnel policies adopted by the Library’s Board of Trustees and may be disciplined, censured, suspended without pay or discharged accordingly.

Appeals Procedure

Appeals relating to suspension of Library service privileges and/or revocation of their privileges to enter upon Library premises shall be made to the Board of Trustees. Appeals by Library staff subject to the provisions of the Civil Service Law, Education Law and personnel policies, to the extent relevant, may be made to the Board of Trustees.

Each person, not an employee of the Library, shall have the right to submit a written notice of appeal to the Board of Trustees within thirty (30) days of any action taken by the Library Director which suspends borrowing privileges or revokes the right to enter the Library premises. The Board of Trustees, or their designee, shall convene a hearing within thirty (30) days of submission of such a notice of appeal, at which time and place the aggrieved shall be afforded the opportunity to present evidence, testify and cross-examine witnesses. Within fourteen (14) days of such a hearing, the Board of Trustees shall render a decision in writing.