

# Behavior and Due Process Policy

The purpose of the Spartanburg County Public Libraries' behavior policy is to ensure a safe, orderly, and comfortable atmosphere in which all library patrons and staff can use the library. This policy addresses standards of public behavior.

Listed below are examples of unacceptable behavior. This list provides examples only and is not exhaustive or exclusive:

1. Behavior that is harassing, menacing or intimidating in nature.
2. Indecent exposure.
3. Engaging in disorderly conduct, such as fighting, committing a nuisance, or unreasonably disturbing behavior that offends library users or staff.
4. Possession of weapons – except by appropriately identified law enforcement agents.
5. Consumption of alcoholic beverages or use of illegal drugs and substances on library property, including parking lots and grounds.
6. Willful destruction of or damage to any library property.
7. Removal or use of any library property from the building except through established lending procedures.
8. Creating disruptive noises that are not part of a library event.
9. Obscene, threatening or abusive language.
10. Interfering with the free movement of any person or persons.
11. Bringing animals other than service dogs into the building.<sup>1</sup> The service dog must be under the handler's control at all times.
12. Soliciting or selling of any kind.
13. Unauthorized display or distribution of signs, notices or leaflets.
14. Using library equipment by any person other than library personnel unless approved.
15. Consumption of food unless in a designated area. Drinks must be covered in the Library.
16. Rearranging of any library furniture or equipment.
17. Entering areas not open to the public without authorization.
18. Being inappropriately dressed, (normal attire includes shoes and shirt).
19. Sleeping, preaching, speech making, begging, or other conduct not related to library use.
20. Loitering is prohibited. Loitering is defined as lingering idly or aimlessly in any area of the Library without purpose, or hanging around in clusters and causing unusually loud or disturbing noises.
21. Making unwanted sexual advances towards others or inappropriate touching.
22. Having offensive bodily hygiene or soiled clothing which soils Library furniture and property or is offensive with respect to smell.
23. Children under ten years of age not attended by a responsible caregiver who is following and enforcing library policies.
24. Leaving any child or teen (up to age 17) at the Library after closing time.
25. Using library facilities for activities other than their intended purpose.
26. Smoking is prohibited in undesignated areas. Effective November 21, 2013, all branches of the Spartanburg County Public Libraries are tobacco free. This includes electronic and vapor cigarettes (Updated: November 20, 2014).

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<sup>1</sup> Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. **The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.** (Code of Federal Regulations, Title 28, Section 36.104).

The Children's Area at each library location is reserved for use by children, their parents or guardians, and adults interested in children's literature. Use of the Teen Area at each library location is reserved for teens 12 through 18 years of age or grades 7 through 12. Computers and activities in the Teen Area are reserved for Teens.

All bags/item and other articles are subject to inspection by security and other authorized personnel. The Library reserves the right to limit the size and number of items. The Library is not responsible for the security and storage of personal items. Unattended items are subject to disposal.

### **Verbal Warning and Suspension of Library Privileges**

Unacceptable behavior may result in the loss of library privileges and which shall include not being permitted to enter library property. Any person participating in unacceptable behavior will be given a verbal warning by Library Security to cease such unacceptable behavior. If, after receiving a verbal warning, the person continues the unacceptable behavior, Library Security has the authority to suspend all library privileges of the person for up to two years, from the date of the offense.

### **Trespass Notice**

A person who continues to participate in unacceptable behavior may have all library privileges suspended for a period of one year or longer and will be issued a trespass notice from the date of the most recent offense. Except for the unacceptable behavior listed in paragraphs 1 through 7 herein, an offense shall not be deemed to have been committed until a person has been given a verbal warning to cease the unacceptable behavior and the person thereafter continues the behavior for which the verbal warning was issued. The duration of the suspension of library privileges and the specific reasons therefore shall be in writing and delivered to the affected person either personally or by certified mail, return receipt requested, delivery restricted to addressee, to the address on file at the library for the person's library card. The period of suspension shall begin 6 days from the receipt of such written notice of suspension by the affected person. If the suspension is appealed, the period of suspension shall begin with the date of the written findings by the County Librarian on the appeal.

Any person who has had their library privileges suspended by Library Security pursuant to this policy may appeal such suspension to the County Librarian in writing within 10 days from the beginning date of the suspension. The written request for appeal shall set forth the factual basis for the appeal and why the suspension should be reversed. Upon receipt of the written request for appeal, the County Librarian shall schedule a meeting with the person and a representative of Library Security to hear the appeal. At the meeting, both sides shall have the opportunity to present evidence for consideration by the County Librarian in making his decision. The County Librarian shall make his findings on the appeal in writing, setting forth the reasons for his decision.

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