

CITY OF ESCONDIDO
COMMUNITY SERVICES DEPARTMENT / LIBRARY

CODE OF CONDUCT POLICY

PREAMBLE: ACCESS TO LIBRARY MATERIALS AND SERVICES

The freedom of access to ideas and information is essential to a democratic society, and the equality of access to information is one of the highest priorities of the Escondido Public Library. The library's Board of Trustees affirms its support of Article V of the *Library Bill of Rights* which protects the rights of an individual to use a library regardless of origin, age, background, or views. Additionally, the Board acknowledges the library's responsibility to safeguard the accessibility of information for those in our society who cannot afford to obtain such information through commercial means.

Accordingly, the Library Board of Trustees will seek to impose the minimum number of restrictions on library facilities and resources necessary to protect the public's right of access to library facilities, to insure the safety of users and staff, and to protect library resources. No one will be denied use of the library merely because his or her appearance or state of mind generates annoyance or negative subjective reactions from others. Further, all library rules shall be enforced evenhandedly, and not in a manner which would arbitrarily benefit or disfavor any person or group.

In order to provide the community with an atmosphere of safety, courtesy, integrity and respect, the Community Services Department has developed a "Code of Conduct Policy". This policy applies to all participants, facility users, recognized organizations or groups, staff and volunteers in all Department programs, activities and facilities. Each participant, as described in the prior sentence, is responsible for regulating his or her own conduct in a positive, productive, and mature manner. In matters of general conduct, participants shall be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens.

All participants and City staff have the right to be safe, and feel safe while attending a Library facility or program. With this right comes the responsibility to be law-abiding citizens and to be accountable for actions that put at risk the safety of others or oneself.

Additionally, the control of facilities through the application process is necessary to ensure equitable use and availability to all residents. Library facility uses are governed by policies approved by the Library Board of Trustees. Responsibility for administering facility use is delegated to the City of Escondido Public Library, a Division of the Community Services Department, and is executed by the Library staff. This policy shall be interpreted to encourage maximum public use and enjoyment of City Library facilities.

STANDARDS OF CONDUCT

All Library users, program participants, organizations and groups, staff, volunteers and visitors to Library facilities or programs are expected to:

1. Support the purpose, structure, codes and policies of the City of Escondido, the Community Services Department and the Library.
2. Conduct themselves in accordance with the City's Discrimination/Sexual Harassment Policy (Attachment A), employee guidelines and the ethics of the organization.
3. Abide by the City's Drug-Free Workplace Policy (Attachment B).
4. Accept the City's, the Community Services Department's and the Library's chain of command.
5. Treat all staff and volunteers, program participants, meeting room users and library users with respect.
6. Refrain from any disparaging remarks or verbal abuse towards staff, volunteers, program participants, meeting room users and library users. Use courteous language at all times.

LIBRARY RULES FOR SAFETY AND ACCESSIBILITY

7. Complete and submit a Meeting Room Application prior to any scheduled use of the meeting rooms, and abide by the Meeting Room Policy established by the Library Board of Trustees.
8. Show proper care and regard for City property and the property of others; and make a reasonable effort at cleanup, returning the area to the condition immediately prior to use
9. All drinks must be in covered containers, and having food or drinks of any kind at computer stations is prohibited. No food or drinks are permitted in the Pioneer Room or Computer Center.
10. Children under the age of 8 must be accompanied at all times by a parent, guardian, or other responsible person.
11. The City Librarian may restrict adult use of Children's areas in order to ensure the adequate protection of the Library facilities and of persons and property therein.
12. Shirts and shoes or other footwear are required.

13. Persons under the influence of alcohol or non-prescribed drugs are not allowed on Library property.
14. Large objects such as carts, bicycles and luggage may not be brought into Library facilities. Personal property brought into the building must be within sight of the owner.
15. Smoking is not permitted inside Library facilities.
16. Weapons of any kind are prohibited on Library property.
17. Animals, other than service animals assisting persons with disabilities, are not permitted inside Library facilities.
18. Persons who remain at Library facilities after closing, and who need assistance to return home may be referred to the police in order to ensure their safety.
19. Roller skates, scooters, skateboards, bicycles, or other similar devices must not be used on Library property.
20. Sleeping or lying on the floor or furniture is prohibited.
21. Library entrance areas shall be used exclusively for entering and exiting the Library and as temporary waiting areas for Library users.
22. Vandalizing or abusing Library materials, equipment, or facilities, including but not limited to such actions as spitting or littering, is prohibited.
23. There will be no soliciting of money or donations on Library property.
24. Selling merchandise without prior permission from the City Librarian is not allowed.
25. There will be no media or commercial photography or filming without prior permission. Interested parties must submit a "City of Escondido Filming/ Photography Permit Application" for review and approval before proceeding.
26. Unreasonable use of rest rooms, including laundering and bathing, is prohibited.
27. People, animals or property must not block Library entrance areas, aisles, doorways, stairways, elevators or ramps or interfere with the free flow of pedestrian traffic in such areas.

28. The Library prohibits any activity that unreasonably interferes with Library user or staff comfort, safety, use or quiet and peaceful enjoyment of the Library, including but not limited to:
- a. Harassing or threatening Library users or staff.
 - b. Staring at, following, or photographing Library users or staff.
 - c. Making any loud or unreasonable noise or other disturbance, including disruptive use of personal communications or entertainment devices.

Library users who wish to request a modification to these Rules because of a disability or health problem may call the Library's administrative office at (760) 839-4601.

STATE LAW PERMITS LIBRARY STAFF TO SEARCH PURSES, BAGS, PARCELS, BRIEFCASES AND OTHER PACKAGES. IN ORDER TO PREVENT THE THEFT OF BOOKS AND LIBRARY MATERIALS, STATE LAW AUTHORIZES THE DETENTION FOR A REASONABLE PERIOD OF ANY PERSON USING THESE FACILITIES SUSPECTED OF COMMITTING "LIBRARY THEFT." [CALIFORNIA PENAL CODE SECTION 490.5]

ANY PERSON WHO INTENTIONALLY INTERFERES WITH ANY LAWFUL BUSINESS CARRIED ON BY THE EMPLOYEES OF A PUBLIC AGENCY OPEN TO THE PUBLIC, BY OBSTRUCTING OR INTIMIDATING THOSE ATTEMPTING TO CARRY ON BUSINESS, OR THOSE PERSONS THERE TO TRANSACT BUSINESS WITH THE PUBLIC AGENCY, AND WHO REFUSES TO LEAVE THE PREMISES OF THE PUBLIC AGENCY AFTER BEING REQUESTED TO LEAVE BY THE OFFICE MANAGER OR A SUPERVISOR OF THE PUBLIC AGENCY, OR BY A PEACE OFFICER ACTING AT THE REQUEST OF THE OFFICE MANAGER OR A SUPERVISOR OF THE PUBLIC AGENCY, IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY IMPRISONMENT IN A COUNTY JAIL FOR UP TO 90 DAYS, OR BY THE FINE OF UP TO FOUR HUNDRED DOLLARS (\$400), OR BY BOTH THAT IMPRISONMENT AND FINE. [CALIFORNIA PENAL CODE Section 602.1(b)]

DISCIPLINARY PROCESS FOR LIBRARY FACILITIES

Users are expected to comply with all applicable federal, state and municipal laws, as well as the Library's Standards Of Conduct and Rules.

Persons who violate these Standards may receive a warning from the Library staff and/or an opportunity to cease the violation or leave the Library. Family members may also be contacted to help alleviate issues, where appropriate. Illegal activity, as well as any willful or repeated violations of these Standards or other posted Library regulations (e.g. computer-use rules), may result in removal from the facility and/or suspension of Library privileges. In addition, where authorized by Federal, State or local law, violations of these Standards may result in arrest.

When a serious act of misconduct by a participant, volunteer, facility user, or group occurs, the site supervisor shall immediately investigate the allegation. He/she

shall make a recommendation to the City Librarian, or her designated representative, regarding the final disciplinary action. In the interim, the site supervisor may immediately impose reasonable restrictions on the offender until the final action can be determined.

APPEAL PROCESS OF AGGRIEVED PARTY

Any person aggrieved by decisions of staff may appeal by following the appropriate chain of command within the City. The chain of command begins at the supervisory level and proceeds up through the City Librarian, Community Services Director, and the Library Board of Trustees. A decision of the Library Board may be appealed to the City Council.

For appeal purposes all decisions ruled upon by staff will remain in place until such time as possible modifications are made as a result of the next step in the appeal process.

Any person aggrieved by a decision of the City Librarian or his/her designee, or the Community Services Director or his/her designee, with respect to this Code of Conduct for the Escondido Public Library may appeal the decision by filing a written notice of appeal with the Library Board of Trustees no later than ten (10) days after said decision has been communicated to the aggrieved party. The appeal will be heard by the Board within a reasonable time after receipt of the appeal.

Any person aggrieved by a recommendation of the Library Board of Trustees with respect to these policies, rules, Code of Conduct and fees governing the use of the Library facilities may appeal to the City Council by filing a written notice of appeal with the City Clerk no later than ten (10) days after said recommendation has been communicated to the aggrieved party. The appeal will be agendized within a reasonable time after it is filed.

Upon receiving an appeal, the City Council will make a determination on the appeal after providing an opportunity for input by all those involved with the appeal. The determination of said appeal will be within a reasonable time after the appeal is filed.

The City Clerk will give written notice to the person making such an appeal of the time and place of hearing by serving it personally or by depositing it in the United States Post Office of Escondido, California, postage prepaid, addressed to such person at his or her last known address.