

Merrick Library Patron Behavior Policy

PURPOSE: The following rules, regulations and procedures are enacted by the Board of Trustees for the purpose of maintaining public order in the Library's facilities and surrounding sites by all library patrons, visitors and employees, as well as other licensees and invitees, in accordance with N.Y. State Education Law §262.

POLICY:

I. Conditional Permission for Use of Library Facilities

As a condition for the use of Library premises, Library patrons, employees, visitors and other licensees and invitees who enter upon or remain at the Library facilities, agree that they shall be subject to these rules and regulations. Failure to comply with the same shall constitute grounds for the immediate ejection as a trespasser, suspension of Library borrowing privileges and revocation of rights to enter upon Library premises.

II. Use of Library Facilities

The use of Library facilities and entry onto Library premises shall be limited to employees of the Library in the performance of their duties, and patrons and visitors to the Library facilities and office for purposes of reading, selecting, returning and borrowing Library books and materials, conducting business with the Library, and attendance at meetings, programs and other events authorized or conducted by the Board of Trustees or other Library personnel, or by organizations authorized by the Library to conduct such events on Library premises.

III. Patrons shall:

- **Engage in activities associated with the use of a public library.**
Patrons not reading, attending a meeting or program, studying or using library materials, may be required to leave the building.
- **Respect the rights of other patrons and staff members.**
Patrons shall not harass or annoy others through noisy or boisterous activities, by staring at another person with the intent to annoy that person, by making unwelcome sexual remarks, gestures or advances, by following another person about the building with the intent to annoy that person, by playing audio equipment so that others can hear it, by singing or talking loudly to others in monologues, or by behaving in a manner which can be reasonably expected to disturb others.

- A person entering the building must be fully clothed. Patrons must wear a covering of their upper bodies and shoes or other footwear. Patrons whose bodily hygiene is offensive so as to constitute a nuisance to other patrons may be required to leave the building.

IV. Patrons shall not:

- Patrons shall not smoke or use tobacco products on Library grounds.
- Be under the influence of alcohol or illegal drugs.
- Engage in any illegal activity while in the library building.
- Interfere with the use of the library by other patrons, or interfere with Library employees' performance of their duties.
- Deface or mar library materials. This includes books, magazine, newspaper, recordings, or other items of the library collection. Nor shall they deface, mar, or in any way destroy or damage library furnishings, walls, machines, or other library property.
- Bring pets or animals into the Library other than a service animal. A service animal is 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 considered service animals.
- Bring weapons of any kind, including guns or knives.
- Solicitation of goods or services
- Sexual Harassment
Specifically: Sexual harassment shall be defined as sexual advances that are not welcomed, requests for sexual favors and other verbal or physical conduct of a sexual nature.
Such conduct, that has the purpose or effect of unreasonably interfering with an employee's performance of library duties, constitutes sexual harassment
Further, abusive language as it relates to a library employee's sex or graphic displays via pictures or objects will be considered sexual harassment

- Any patron not abiding by these or other rules and regulations of the library may be required by any staff member to leave the library building. Serious or continued violations may result in a suspension of privileges for up to thirty (30) days by a department head or the Director. Library employees are authorized to call the Nassau Police Department for violations of this policy.
- Any patron who violates these or other rules and regulations may, on the recommendation of the Director and with the approval of the Library Board of Trustees, be denied the privilege of access to the library for a period longer than thirty (30) days.

V. Procedures

1. While the Merrick Library facilities are open, the Library Director or his/her designees, in the first instance, shall be responsible for the enforcement of these rules and regulations. Any violation shall be immediately reported to the Library Director or his/her designees who shall immediately take inquiry of the facts and circumstances surrounding the complaint, and who 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 of the Library Director or his/her designees, such Library Director or designee is hereby authorized and directed to make a complaint to the Nassau County Police Department and to sign any information as necessary charging said trespasser with the appropriate violation of the Penal Law. The Library Director or his/her designee shall forthwith make a report to the Board of Trustees.
2. When the Library Director or his/her designees are not present, any Library employee is authorized and directed, upon observing and being informed of any violation of these rules and regulations, to make inquiry of the facts and circumstances surrounding the violation and any such employee 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 of the employee, such employee is hereby authorized and directed to make a complaint to the Nassau County Police Department and sign any information as necessary charging said violator with the appropriate violation of the Penal Law. Subsequently, such Library employee, at the first opportunity, shall make a written report of the facts and circumstances surrounding the enforcement of these rules and regulations to the Library Director.
3. The Library shall indemnify and save harmless the Library Director, his/her designees, or 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.

VI. Appeal Procedure

1. Appeals relating to suspension of borrowing privileges and revocation of their privileges to enter upon Library premises shall be made to the Board of Trustees.
2. Each person shall have the right to submit a written notice of appeal to the Board of Trustees within thirty (30) days of any action of the Library Director suspending borrowing privileges or revoking their license to enter upon Library premises. The Board of Trustees, or their designee, shall convene a hearing at which time and place the aggrieved shall be afforded the opportunity to present evidence, testify and cross examine witnesses. Within seven (7) days of such hearing, the Board of Trustees shall render a decision in writing either restoring the aggrieved person's library privileges or confirming the Library Director's actions explaining the reasons for the continuance of the Director's action.

Adopted:

May 28, 2003

Revised:

September 20, 2016