

**PATRON RESPONSIBILITY AND CONDUCT POLICY**

Approved by the Library Advisory Board March 1, 2023

Patron Responsibility and Conduct Policy (PR)	1
Staff Commitment to Patron Service	1
Public Service Desk Problems or Complaints	1
Emergency Situations	1
Children's Use of the Library	1-2
Children's Library Etiquette	2
Children's Storytime Etiquette	3
General Patron Behavior Prohibitions	3-5
Inappropriate Use of the Library	5
Disruptive Behavior	5
Harassment and Lewd Behavior	5-6
Verbal Abuse of Staff	6
Vandalism, Theft, or Other Illegal Acts	6
Appeals for Suspension of Library Privileges and Property Restrictions	6-7
Reasonable Detention and Questioning	7-8

Patron Responsibility and Conduct

Staff Commitment to Patron Service

- A. The library exists to provide quality library service to the taxpayers who support the system and the patrons who utilize the library's facilities, collections, and services.
- B. Administration and staff are responsible for providing the best possible patron service in an open and inviting atmosphere.
- C. Patrons are encouraged to use library facilities and materials. Staff is available to assist patrons in finding, using, and borrowing materials in a courteous and helpful manner.

Public Service Desk Problems or Complaints

- A. All library patrons have a right to question library policies and their personal circulation records, as long as this is done in a reasonable manner. Foul or inappropriate language will not be tolerated.
- B. Staff members who interact with these patrons should carefully and courteously explain policies and take all necessary steps to ensure that patron circulation records are accurate.
- C. If the patron still has questions or objections, they should be referred to the Library Director. In the interest of patron service, library staff should attempt to resolve the problem in a timely manner.

Emergency Situations

- A. An emergency situation is defined as any situation in which a patron's actions present an imminent danger to the life or safety of said patron or to others in the library. Such incidents include assault or other crimes of violence, or the threat or attempt to commit such crimes.
- B. Any staff member who observes or receives notice of such behavior should call the police immediately and file a library incident report. Acts of violence may result in permanent suspension of library privileges.

Children's Use of the Library

- A. Our goal is to provide a safe, comfortable, and sharing environment, promoting a lifelong love of books for children and families. Bentonville Public Library's children's policies are important reading for parents, as they guide staff interactions and library procedures pertaining to youth at the library. Some policies directly relate to safety, while others outline general behavior expectations and etiquette. Parents should familiarize themselves with our computer access, youth collections, and responsible party policies.
- B. Children and teens using the library are expected to behave in accordance with the Code of Conduct and General Patron Behavior Prohibitions.
- C. Service to children is a major focus of the Bentonville Public Library's mission. As long as children act responsibly, they may use the library at any time it is open.

- D. While the safety and security of children are important to library staff, the library does not have a specific responsibility or ability to care for or to supervise children left unattended in its facilities.
- E. Children under the age of ten (10) years old should not be left unsupervised in any area of the library. Young children cannot be left in the Children's department while the parent or guardian uses other areas of the library.
- F. The age requirement policy will be enforced by Library staff.
- G. If a parent or guardian of a young child cannot be located, staff will call the Police Department to report an abandoned child.
- H. Parents are responsible for the behavior of their children; teachers are responsible for the conduct of their students while they are in the library for a class visit or tour. Library staff may remind children of appropriate library behavior, when necessary, but the ultimate responsibility lies with the parent/guardian.
- I. If an unattended youth behaves in a disruptive manner, the patron will be warned and, if the behavior continues, asked to leave the library.
- J. Children who have not been picked up at closing time will be given the opportunity to call a parent. Children who are not picked up within fifteen minutes after closing will be left in the care of the Bentonville Police Department. Under no circumstances will staff transport children in a vehicle or accompany them home. Staff should be alert to youths who may be waiting for transportation alone. If Library staff must remain late with a child while they are waiting for a guardian or for the police to arrive, two (2) staff members must remain at the library.
- K. The Children's Library, Tween Zone, and Teen Zone have designated spaces for use and enjoyment by young patrons. Adults who are unaccompanied by children or teens should use other areas in the library for reading or other use.
- L. The library does not allow loitering. Library personnel reserves the right to ask anyone loitering, or otherwise conducting themselves in a concerning manner, to leave the premises.
- M. Parents or legal guardians must assume responsibility for deciding what resources are appropriate for their children. There will be some resources that a parent may feel is inappropriate for their children. Parents should let their children know if there are materials that they do not want them to use. Parents should supervise their child's usage of library materials and Internet sessions.

Children's Library Etiquette

Parents should help children learn behavior that is appropriate to a public library setting.

1. Use inside voices
2. Use walking feet
3. Return books to re-shelving carts
4. Put away toys and puzzles after play
5. Encourage respectful use of materials, furnishings, and equipment

Children's Storytime Etiquette

In order to make Storytime a happy, learning time for all, we encourage parents to use this opportunity to teach their children listening and cooperative skills.

1. Arrive on time
2. Be attentive and participate in the programs
3. Put away toys, snacks, and drinks

Some restlessness in young children is expected, but if children wander or become a distraction, we ask that the parent please escort the child from the Storytime area until they are comfortable and ready to listen.

General Patron Behavior Prohibitions

- A. In keeping with the library's commitment to patron service, the following activities are deemed inappropriate and inconsiderate patron behavior. These activities are prohibited for all patrons, with consideration given to situations and age appropriateness.
- B. The library will consistently enforce the following patron behavior prohibitions. Violation may result in expulsion, prosecution, or suspension of privileges on a temporary or permanent basis. These prohibitions follow the library's "Code of Conduct" which is distributed to all new cardholders and is readily available as public information.
 1. Theft attempted theft or destruction of Library materials or property.
 2. Trespassing or loitering on Library property, during or after operating hours.
 3. Loud talking, laughter, or conversation. Loud talking is defined as speech that is clearly audible from ten (10) feet away by any other patron or staff member.
 4. Loitering in Library facilities without reading, studying, using - or visible intent to use - Library materials. Loitering behavior is defined by Arkansas Code.
 5. City Council Resolution 9-23-14C establishes Bentonville Public Library as a non-smoking and tobacco-free campus. Smoking or using tobacco products (including simulated tobacco products) in the building, on exterior porches, or on surrounding library grounds is prohibited. Examples of prohibited use at the library include, but are not limited to cigarettes, pipes, cigars, smokeless tobacco, e-cigarettes, or vapor devices. The library "campus" is defined as any location that may be considered a programmatic space, inside and outside the library. This includes, but is not limited to inside the facility, on the exterior porches, and surrounding grounds, such as the front lawn, brick courtyard, rain garden, other natural spaces, and areas that are highly visible from the library's programmatic areas. [Appendix 8]
 6. Use of, or being under the influence of, alcohol or other illegal substances.
 7. Having weapons in the library, or on Library property.
 8. Bringing beverages in open containers or food items into public service areas. Beverages with lids and small snack items are allowed inside the library. Exceptions regarding food beyond light snacks are subject to approval by the Library Director.

9. Littering inside the Library or on the grounds.
 10. Lack of shoes and/or appropriate attire by any persons.
 11. The uninvited introduction of any animals except service animals as defined by the Americans with Disabilities Act.
 12. The use of any personal appliances, viewing or listening devices, or personal computers, when the volume may be heard by any person over three (3) feet away.
 13. Mobile telephones and other personal devices should be switched to a non-audible signal and answered discreetly while in the library. Patrons may be asked to conclude phone calls or be directed to a more private area should the conversation become disruptive.
 14. Entry into any staff work areas not open to the public. Patrons are restricted to public use areas of the library.
 15. Skateboarding, rollerblading, bicycling, or transportation on any other wheeled conveyance inside the Library, outside where it could cause damage to the property, or anywhere it could pose safety issues for others. The sole exceptions shall be transportation by wheelchair or other disability assistance devices.
 16. Interference with the use of the library by other patrons, or with Library staff's performance of their duties. Such interference shall include behavior which, by sight, sound, or bodily gestures may be intrusive to other patrons' concentration and quiet enjoyment of facilities and materials.
 17. Entry into the Library under such conditions of bodily hygiene, as it impairs the clean and sanitary environment intended for patrons' quiet enjoyment of the facilities. Such a condition encroaches upon the ability of other patrons to enjoy the library facilities and will not be allowed.
 18. Entry into the Library with large, framed backpacks, bedrolls, blanket rolls, tents, or excessive baggage in size or quantity. Personal belongings must be always kept with patrons. Personal belongings must not take up excess space or impede access to services and materials. Unattended personal belongings will be collected, and every effort will be made to identify and contact the owner. If not claimed within a reasonable amount of time, items will be disposed of.
 19. Gambling in any form including but not limited to throwing dice, pitching pennies, playing poker, and games of chance.
- C. Violation of the above policies shall be caused to eject the offending patron. Severe violations may result in the denial of library privileges.
- D. The Library Board staff have the right and responsibility to protect the safety of all patrons and materials and to maintain order on Library property. Occasionally it will be necessary for staff members to address patrons who create a disturbance or violate the rights of others. In such situations, Library personnel should be aware of applicable policies and procedures.
- E. In all cases of theft, vandalism, disruptive behavior, illegal activities, or injury, an incident report shall be filed with the Director as soon after the incident as possible, but in no instance

more than one working day later. The police shall be contacted regarding illegal or emergency situations.

- F. Suspension periods may vary with the severity and repetition of the offense; the time is determined by the Library Director. This may range from the day(s), week(s), month(s), and year(s), up to the permanent suspension, depending on the violation. Decisions on the timeframe will be made based on established standards. The police or legal departments will be consulted when necessary.
- G. Suspension for acts or threats of violence to staff or patrons is given the highest priority and longest duration. In addition, legal consequences and prosecution may occur.
- H. Severe violations involving the use of weapons or violence may lead to the permanent suspension of Library privileges.
- I. Patrons suspended for a period of more than six months may be required to meet with the Library Director and a witness (i.e., librarian, police officer, or library advisory board member) before privileges are reinstated.

Inappropriate Use of the Library

- A. When a patron is using the Library or Library property for inappropriate purposes (e.g., sleeping, loitering, bathing, etc.) a staff member should approach the patron and courteously inform them to use the library for its intended purpose or they will be asked to leave.
- B. If the patron refuses to conform to their behavior or leave, the same procedure as disruptive behavior should be used.
- C. Patrons may face suspension of Library privileges.

Disruptive Behavior

- A. When a patron willfully and intentionally disturbs other patrons, a staff member should approach the patron and ask them to leave. If the patron refuses to leave the library, the police should be contacted. If at any time the patron becomes threatening or dangerous, the police shall be called immediately, and appropriate measures are taken to protect patrons and staff. An incident report will be filed with the Library Director.
- B. Library staff will request the patron to leave at the first incident. Privileges may be suspended incrementally ranging from one week for minor incidents, to more significant periods for repeat or more serious offenses, up to permanent suspension at the Library Director's discretion.

Harassment and Lewd Behavior

- A. Patrons and staff have the right to enjoy an environment free from harassment or lewd conduct. Anyone, including patrons, who harass staff or other patrons will be asked to leave the library and a report will be filed with the Library Director. Repeated acts of harassment or acts that may escalate into violent or illegal actions will be reported to the police department.

- B. Lewd acts or sexual misconduct is not tolerated in the library. Those who commit minor acts, such as teenagers who “make out” on Library property will be given a warning and then asked to leave.
- C. Serious acts and illegal acts involving minors will be reported to the police department. All serious acts will be reported to the Library Director and put on file.

Verbal Abuse of Staff

If a patron speaks to a staff member or other patron in an abusive or obscene manner, staff will request the patron to leave. If the patron continues to be abusive or obscene, the same procedures for disruptive behavior should be followed. Patrons may face suspension of Library privileges for verbal abuse of staff.

Vandalism, Theft, or Other Illegal Acts

- A. All Library materials must be properly checked out in accordance with established policy. Intentional concealment of any Library materials or any attempt to remove materials intentionally, by circumventing established checkout or security procedures, is a violation of policy.
- B. When a staff member observes or receives a report of a person attempting to maliciously destroy or deface Library materials or property, and it is determined that the patron has vandalized the property, the police should be called, and a Library incident report should be filed.
- C. When a staff member observes or receives a report of a patron allegedly committing an illegal act (e.g., indecent exposure, using or selling drugs, drinking), the police should be called, and a Library incident report filed.
- D. The patron may face suspension of Library privileges on a permanent or temporary basis and prosecution.
- E. Library staff will be guided by [A.C.A. § 13-2-801](#) to [A.C.A. § 13-2-806](#) when patrons attempt vandalism, theft, or other illegal acts.

Appeals for Suspension of Library Privileges and Property Restrictions

As outlined in Bentonville Public Library’s Policy Manual, the Library Director may suspend patrons’ privileges and issue property restrictions for violations of Library policies. In most cases, and whenever feasible, written notices are provided to patrons that summarize the suspension/restriction.

- A. If a patron desires further action, they may appeal in writing to the Library Advisory Board.
- B. The patron will be mailed a memo notifying them about the option to appeal.
- C. The patron’s request for appeal must be received by the library administration within thirty (30) calendar days of the appeal memo date.

- D. Prior to granting an appeal meeting to any patron, the Library Advisory Board will have an opportunity to review policy and any supporting materials to determine the scope of the hearing.
- E. Appeals to the Library Advisory Board will be handled in a timely manner. However, it must be recognized that time constraints or schedule conflicts may possibly delay the appeal meeting.
- F. The appeal will take place at a regularly scheduled board meeting, which may or may not be the next scheduled meeting.
- G. The Library Advisory Board will determine the location of the meeting.
- H. The patron will be notified when they may address the Library Advisory Board.
- I. The Library Advisory Board reserves the right to limit the length of the presentation and the number of speakers at the meeting.
- J. Administrative personnel for the City of Bentonville will be informed of the review meeting and may attend the appeal hearing as required by their responsibilities, i.e., legal, public safety, etc.
- K. The Library Advisory Board will determine whether the actions pertaining to the restriction have been handled in accordance with the stated policies and procedures of the Bentonville Public Library, with special consideration for public safety.
- L. In reviewing all relevant information, the Library Advisory Board may recommend one of the following actions, or reach another reasonable, appropriate decision:
 - 1. Full support for the Library Director's decision.
 - 2. Modification of the Library Director's decision.
- M. The Library Advisory Board's decision will be determined through a simple majority vote.
- N. In the event that a majority of voting board members cannot be reached, ex-officio members may be required to vote.
- O. The Library Advisory Board's decision concluding this appeal process is final and the patron will be notified of the decision via postal mail.
- P. If library services are reinstated, the patron is required to schedule a meeting, in advance, to discuss expectations of conduct.

Reasonable Detention and Questioning

- A. Library staff will be guided by [A.C.A. § 13-2-805](#) when reasonable detention and questioning are needed to determine whether an offense was committed.
- B. In the case of the suspected violation, a request should be made to search the person, any bags, briefcases, handbags, or other similar containers. Such persons may not, however, be interrogated or searched against their will.
- C. If the patron declines the search request, or becomes threatening or dangerous, the Police department should be notified immediately, and measures are taken to protect patrons and Library staff.

- D. If it is determined that reasonable cause exists to believe the patron intentionally committed the violation, the patron should be informed that they may face suspension of Library privileges and possible prosecution.
- E. Determining whether the circumstances warrant a Library suspension or legal prosecution is a judgmental matter and reasonable cause should be used.
- F. Reasonable cause is defined as a set of facts or apparent facts which are sufficiently strong in themselves to lead a reasonable and prudent person to believe that a crime has been, or is about to be, committed. Personal knowledge and observation are the strongest, but not sole, an indication of reasonable cause. Information received from another must be weighed in light of the other person's individual credibility.