



policy and procedure

Name: Public Code of Conduct and Banning Procedure

Approved: April 1, 2019, by Franklin Public Library Board of Trustees; affirmed June 28, 2021; revised June 26, 2023

Policy:

To provide a pleasant and safe environment conducive to study as well as casual use, the Franklin Public Library Board of Trustees adopted this Code of Conduct. All conduct materially disrupting use of Library facilities, collections, services or behavior defined as unacceptable is prohibited. Staff and Library patrons share responsibilities to ensure this atmosphere is maintained at all times. The following guidelines are set forth to define those behaviors and activities that are and are not allowed on Library property. Patrons are requested to report disruptive behavior to Library staff, rather than correcting others on their own. Library staff will enforce these guidelines in a consistent and impartial manner.

Staff is committed to providing:

- Courteous and knowledgeable assistance.
- Access to Library resources.
- A reasonably quiet environment.
- A clean physical environment.

Library patrons have the obligation to:

- Interact courteously with other users and Library staff.
- Properly check out materials that leave the Library.
- Return books by the due date.
- Keep Library materials clean, unmarked, and intact.
- Follow established computer use guidelines.
- Maintain a quiet environment in study and computer areas, and observe appropriate noise levels in all other areas and at Library programs.
- Maintain a clean environment.

The following behaviors and activities are examples of conduct not allowed on Library property:

- Possessing, selling, distributing, displaying or using any dangerous weapon as that term is defined in Wis. Stats. sec. 939.22(10) upon library premises or using or threatening the use of any other object in such a manner that it may be considered a weapon.
- All illegal activities.
- Damaging, defacing, destroying, or stealing Library property.
- Carrying, consuming, and/or being under the influence of drugs or alcohol.
- Harassing or threatening behavior towards another person or staff, which may include unwanted conversations with other individuals, constantly staring at, or following another person without consent.

- Behaving in a disorderly, boisterous, or loud manner.
- Panhandling or soliciting.
- Using Library restroom facilities for inappropriate purposes such as loitering, bathing, etc.
- Prolonged or chronic sleeping.
- Smoking or use of electronic smoking devices.
- Loitering or interfering with free passage into and throughout the Library.
- Personal hygiene which disrupts others from using Library facilities, collections, or services.
- Entering without shoes or shirt and any other manner of dress resulting in indecent exposure.
- Using cell phones, audio, or personal equipment in a manner that disturbs others or interferes with library use and service.
- Using skateboards, scooters, rollerblades, and/or similar toy/sport items on Library property.
- Creating a disruptive atmosphere by allowing unruly children to go unsupervised by the caregiver.
- Violating computer use policies.
- Relocating Library furniture or equipment without the permission of Library staff.
- Bringing in animals except those required by persons with disabilities and protected under the Americans with Disabilities Act. (Please note: Emotional support and therapy animals are not qualified under the Americans with Disabilities Act.)
- Leaving pets unattended on Library property.
- Trespassing on Library property during a banning period.
- Any other behavior deemed inappropriate or a threat to public safety by a Librarian.

Anyone who disregards the above-listed prohibited behaviors is subject to removal from library property and/or restriction of Library privileges. In such cases in which it is deemed necessary to enforce library rules, the police will be called for assistance. Violations of the Franklin Public Library Code of Conduct may also result in a formal banning and/or civil and/or criminal prosecution.

Franklin Public Library does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, military status, or any other protected status under the law, in any of its activities or operations.

Procedure:

Banning process:

- Library staff will first request that a patron immediately discontinue any inappropriate conduct. Failure to comply may result in Library staff calling 911 to seek police assistance in cases where the patron's conduct poses an immediate threat to the peace, safety, health and welfare of Library staff and patrons.
- Depending upon the nature of the conduct, the patron may be required to leave the Library for the remainder of the day or a longer period of time. The Librarian-in-Charge shall document and report the incident to the Library Director immediately.
- When an individual's inappropriate conduct is serious or repeated, the Library Director will determine duration of ban and inform the Library Board of the decision.
- The individual will be notified of the ban and its duration by certified mail sent to the address on record.

Appeals process:

- The Director's written determination may be appealed to the Library Board, if the individual aggrieved files a written notice of appeal within 10 days after he/she receives the determination. Such notice shall be filed with: both the Library Director and the Library Board President (c/o Franklin Public Library, 9151 West Loomis Road, Franklin, WI 53132). The Library

Board shall hold a hearing within 30 days after the notice has been filed. The appellant shall be notified at least 10 days before the hearing.

- At the hearing, the appellant may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party. The Library Board President or his/her designee shall conduct the hearing and shall follow the Rules of Evidence provided in the Wisconsin Statutes, § 227.45, for administrative proceedings. The staff shall make an audio-recording of the proceedings.
- Within 30 days of the completion of the hearing, the Library Board shall issue a written decision stating the reasons therefore. The Library Board shall have the power to affirm or reverse the written determination or to remand it to the Director or designee with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.