

EXPULSION FROM THE LIBRARY

PURPOSE

The purpose of these rules is to ensure that patrons of Ontario City Library facilities have access to and use of library facilities in a quiet, orderly, peaceful and safe atmosphere, unhindered and undisturbed by the disruptive actions and behavior of others. These rules are further intended to protect the rights and safety of Library staff members, to preserve and protect the Library's materials and facilities, to ensure the orderly management of the City Library, to ensure that library facilities and materials are available for the use for which the facilities and materials are intended, and to preserve the property under the control of the Library for the use to which it was lawfully dedicated.

SCOPE

These rules shall be applied in a neutral and nondiscriminatory manner. These rules shall apply to all buildings, interior and exterior, and to all grounds and curtilage of the Ontario City Library (referred to in this Policy as the "Premises") and to all persons entering into or on the Premises. On the Premises, violation of any Federal, State, or local ordinance will be regarded as a violation of Library rules. Persons who violate these rules may be excluded from the Premises.

EXPULSION FROM THE LIBRARY

Library Rules of Conduct:

From the Ontario City Library, *Library Rules of Conduct* revised by the Library Board of Trustees, March 2007, "The Ontario City Library is a public facility open to all for library use. No one has the right to interfere with anyone else's right to use the library. Any disruptive conduct or interfering condition is cause for expulsion."

Staff Response to Infractions:

Violation of the *Library Rules of Conduct* can result in expulsion from the library and forfeiture of library privileges. Minor violations of these rules will result in library staff attempting to educate or warn individuals about policies before enforcing such policies. If an individual continues to violate these policies, staff may require them to leave for the day. However, any conduct (verbal, physical, or other) that threatens the life or safety of any person or that is damaging to library property, equipment or facilities may result in immediate expulsion from the library premises.

Library staff members are authorized to contact the Ontario Police Department (Dispatch x4420) to respond to such situations. Repeat misconduct or severe offenses (even if a single isolated event) may result in individuals being banned from the library from a week to a year or permanently if determined by Library Staff as outlined below. Staff will follow the established procedures below in making this determination. Staff will call the police for severe or illegal behavior or when an individual refuses to leave when told by staff to do so.

Note – staff can expel someone from the library for 24 hours for committing a serious offense or for committing repeated infractions (See *Library Rules of Conduct*), but banning requires action by Library Administration. After consulting with PIC (Person in Charge) or supervisor, staff at any level may require a customer to leave for 24 hours but must notify the PIC and Library Administration.

BANNING PROCEDURE:

After staff determines that a person has engaged in severe or repeat misconduct, and staff has determined that the individual involved should be banned:

1. Staff will involve Associate Director or Director of the Library, or if not available, the Supervising Librarian or PIC.

2. Staff will gather information about the individual being banned, including library card number, name, address, phone number, etc.
3. Staff will complete an incident report along with details about potential ban and recommendation for time period of the ban.
4. After review, if the Director/Associate Director agrees with the reasons for the ban, then the Director will mail the "Banning Letter," attached herein. The Director/Associate Director will notify the Library Board and staff of the ban.
5. The Director will review and may reconsider the decision to ban an individual upon written request of the banned individual and may shorten or terminate the banning period if information submitted by the individual, in the discretion of the Library Director, warrants such modification. Director may consult with the City Attorney's Office before issuing the response to the banned individual. Until such time as the Banning Letter has been reviewed and/or modified by the Director or reversed on appeal by the Library Board, the individual may not use the library.

ALTERNATIVE JUVENILE BANNING PROCEDURE DISCRETIONARY RESTRICTED LIBRARY USE FOR JUVENILES:

As an alternative to banning a juvenile, a supervisor and a staff member may restrict a juvenile from independent use of a specified library site for a period of 30 (first restriction) days or 90 (second or more restriction(s)) days. The juvenile whose library use is restricted may use the library during the specified period only when the juvenile is accompanied by a responsible parent or guardian. The juvenile's parent or guardian must be notified of the restriction via certified mail. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

BANNING LETTER:

TO:

Care Of (if customer banned is a minor):

On _____ at approximately _____ you were observed at the

_____ Library. At that time you were:

_____ INTOXICATED

_____ LOUD AND DISTURBING

_____ IN THE LIBRARY DESPITE BEING PREVIOUSLY BANNED UNTIL _____

_____ OTHER CONDUCT (As set forth below)

COMMENTS: Because of the behavior listed above, and/or other history of inappropriate behavioral conduct at any Ontario City Library, you are banned from all Ontario City Libraries until the date listed below. If you enter any Ontario City Library before the return date listed below, police will be called, and you will subject to being arrested for trespassing.

You may file a written request to Director, Ontario City Library, 215 East C Street, Ontario, CA 91764 to reconsider this ban from all Ontario City Libraries. Your written request shall set forth your reasons for reconsideration of the ban. For juvenile customers, the library will consider restricted use during the specified period only when the juvenile is accompanied by a responsible parent or guardian. Responsible parent or guardian must contact the Library Director at the address above to request restricted use. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

THE LENGTH OF THIS BAN FROM ALL ONTARIO CITY LIBRARIES SHALL REMAIN AS STATED IN THIS DOCUMENT UNLESS THE DIRECTOR ISSUES A WRITTEN DETERMINATION ALTERING THE TERMS OF THIS DOCUMENT.

BANNED FROM LIBRARY _____

RETURN DATE _____

Staff initials: _____

APPEAL PROCEDURE:

1. Notice of Appeal. 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 Ontario City Library, 215 East C Street, Ontario, CA 91764. The Library Board will discuss at the next available Library Board meeting at which the appellant may speak on his/her behalf.
2. Decision. Within 30 days of the completion of the meeting, the Board shall issue a written decision stating the reasons therefore. The 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.

NON-COMPLIANCE WITH BAN-TRESPASSING:

If a banned individual enters any Ontario City Library before the return date listed in the "Banning Letter", police will be called and individual may be arrested for trespassing.