

Policy 5.1

Patron Relations

The mission of the Kalkaska County Library is to provide free and open access to information, ideas, and technology for the education and enrichment of our community. The Kalkaska County Library Board of Trustees has authority to establish and enforce reasonable regulations for the benefit of patrons of the library, in keeping with its mission. The library director and his or her representatives shall be responsible for enforcing this policy.

In observance of its mission and to make library facilities and services available to everyone on a safe and equitable basis, to ensure the ability of staff members to conduct library business and to safeguard library property against misuse or abuse, the following rules for behavior are established by the Kalkaska County Library Board of Trustees.

Category A

Stealing or vandalizing library property

Using, possessing, giving away or selling alcohol, marijuana or any illegal substance on library property

Improper use or abuse of library materials or equipment

Engaging in sexual acts or behaviors or indecent exposure

Harassment, intimidation or threat of any person by word or act

Fighting or provoking fighting or engaging in any act of violence

Unlawful possession of a weapon

Category B

Being under the obvious influence of alcohol, marijuana, or any illegal substance on library property

Profane, obscene, injurious or abusive language

Noisy or boisterous conduct inappropriate to the library location

Failing to wear shirt, pants, and/or shoes

Personal hygiene or body odor so offensive as to constitute a nuisance to other persons

Sleeping in the library

Petitioning, canvassing, conducting surveys, distributing written material, or soliciting donations, selling merchandise, or otherwise raising funds anywhere on library property, unless approved in advance by KCL

Violation of the library Internet policy

Entering areas designated "private" or "staff only" unless approved by KCL staff

Refusing to leave the library at closing time

Violation of the Smoke and Tobacco Free Campus Policy

Restrooms used for washing clothes, shaving, or bathing

Persons who violate the above rules for safety and security are subject to the withholding of Library privileges as follows:

Category A violations: Library privileges are suspended for six months to a year, at the Director's discretion. Police are notified.

Category B violations: Library privileges are suspended for seven (7) days to a year, at the Director's discretion. Police may be notified.

For all suspected violations:

Police will be called if the library believes a crime has been committed

Police will be called when a violator refuses to comply with library rules

Police will be called if a violator refuses to show identification

Police will be called if a patron suspended under this policy appears on library property

Violators may be photographed by library personnel

Right to Appeal and Appeals Process

The right to appeal is based on the right to due process of law guaranteed in the 14th Amendment of the U.S. Constitution and the right of access to public libraries guaranteed to all citizens in the Michigan Constitution (Art. VIII, Sec. 9)

If the library has an address on record or the suspended patron provides an address, the library director shall provide written notice to any individual whose library privileges have been suspended within five (5) business days of the date of the violation, and shall include a copy of this policy with the notice. If the library does not have an address on record and the patron refuses or fails to provide an address, verbal notice on the day of the violation shall be sufficient notice of the suspension, and the patron shall be hand-delivered a copy of this policy.

An individual who wishes to appeal a suspension must do so in writing to the library board within ten (10) days of the postmark of the director's letter or the date of the verbal notice if no letter is sent. The notification of appeal must provide current contact information (address and phone number) and state the grounds upon which the appeal is based.

Upon receiving a request for an appeal, the board shall hold a hearing to consider the appeal within one month. The board may consider the appeal at a regularly scheduled Board meeting or at a special Board meeting, at the earliest opportunity, called for the purpose of a hearing.

The Board President will ensure the Appellant receives reasonable notice of the hearing.

Prior to the hearing the Board will be provided copies of the Appellant's letter appealing the decision and requesting the hearing. The Board and Appellant will also receive copies of the Library Director's letter giving notice of the suspension which describes the offence. Supporting information gathered in the administration's investigation shall be made available, including but not limited to all incident and police reports completed by Library Staff, witnesses and the Director. The Board shall have access to Library records necessary to make an informed decision on the appeal. Any library record (as defined in

the Michigan Library Privacy Act) shall remain confidential and shall not be disclosed to the public unless in compliance with the Michigan Library Privacy Act.

The Appellant must have the opportunity to attend any hearing so scheduled personally or may make a written statement in support of his or her position. If the Appellant does not attend the hearing, the written statement must be received before the time set for the hearing.

The Appellant shall have the opportunity to present his or her claim for rejecting the Library Director's decision. The Board may ask questions in order to bring to light all the facts and issues involved.

The Board may affirm or reject the decision to suspend Library privileges.

The Board will make its determination as soon as reasonably possible.

The Board will issue a written decision and provide a copy to the Appellant if an address is known.

The decision of the Board is final.

In no case shall the filing of an appeal pursuant to this policy act as a stay of the suspension imposed unless the Library Director makes a specific finding that the suspension would result in manifest injustice under the total circumstances.

Approved: 24 March 2020

Signature on file

Cash Cook, Board Secretary