

Somerset Public Library

Behavior Policy Adult Patrons



2/27/1992

Revision - B

6/17/2008

Revision – C

5/15/2012

The Somerset Public Library exists to serve as a center of informal learning, individual growth and recreation for the citizens of Somerset. The Library expects to make a contribution to the learning process and to aid individuals in the lifelong process of growth and appreciation and understanding of themselves, their neighbors, and the world around them. In addition, the library makes its building available as a setting for appropriate events according to the needs and interests of the community.

I. Basis in Law – Massachusetts General Laws Annotated

Libraries; theft of materials or property; destruction of records

Chapter 266 - Section 99A. Whoever willfully conceals on his person or among his belongings any library materials or property and removes said library materials or property, if the value of the property stolen exceeds two hundred and fifty dollars, shall be punished by imprisonment in the state prison for not more than five years, or by a fine of not less than one thousand nor more than twenty-five thousand dollars, or both; or, if the value of the property stolen does not exceed two hundred and fifty dollars, shall be punished by imprisonment in jail for not more than one year or by a fine of not less than one hundred nor more than one thousand dollars, or both, and ordered to pay the replacement value of such library materials or property, including all reasonable processing costs, as determined by the governing board of said library.

Any person who has properly charged out any library materials or property, and who, upon neglect to return the same within the time required and specified in the by-laws, rules or regulations of the library owning the property, after receiving notice from the librarian or other proper custodian of the property that the same is overdue, shall willfully fail to return the same within thirty days from the date of such notice shall pay a fine of not less than one hundred nor more than five hundred dollars and shall pay the replacement value of such library materials or property, including all reasonable processing costs, as determined by said governing board. Each piece of library property shall be considered a separate offense.

The giving of a false identification or fictitious name, address or place of employment with the intent to deceive, or borrowing or attempting to borrow any library material or property by: the use of a library card issued to another without the other's consent; the use of a library card knowing that it is revoked, canceled or expired; or, the use of a library card knowing that it is falsely made, counterfeit or materially altered shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

The willful alteration or destruction of library ownership records, electronic or catalog records retained apart from or applied directly to the library materials or property shall be punished by imprisonment in the state prison for not more than five years or by a fine of not less than one thousand nor more than twenty-five thousand dollars, or both, and shall pay the replacement value of such library materials or property, including all reasonable processing costs, as determined by the governing board having jurisdiction.

Libraries; mutilation or destruction of materials or property

Chapter 266; Section 100. Whoever willfully, maliciously or wantonly writes upon, injures, defaces, tears, cuts, mutilates or destroys any library material or property, shall make restitution in full replacement value of the library materials or property, and, in addition, shall be punished by imprisonment in a house of correction for not more than two years or by a fine of not less than one hundred nor more than one thousand dollars, or both.

A law enforcement officer may arrest without warrant any person he has probable cause to believe has violated the provisions of section ninety-nine A and this section. The statement of an employee or agent of the library, eighteen years of age or older, that a person has violated the provisions of said section ninety-nine A and this section shall constitute probable cause for arrest by a law enforcement officer authorized to make an arrest in such jurisdiction. The activation of an electronic anti-theft device shall constitute probable cause for believing that a person has violated the provisions of this section.

A library shall prepare posters to be displayed therein in a conspicuous place. Said posters shall contain a summary and explanation of said section ninety-nine A and this section.

Disturbance of libraries

Chapter 272 Section 41. Whoever willfully disturbs persons assembled in a public library, or a reading room connected therewith, by making a noise or in any other manner during the time when such library or reading room is open to the public shall be punished as provided in the preceding section.

Disturbance of schools or assemblies

Chapter 272 Section 40. Whoever willfully interrupts or disturbs a school or other assembly of people met for a lawful purpose shall be punished by imprisonment for not more than one month or by a fine of not more than fifty dollars; provided, however, that whoever, within one year after being twice convicted of a violation of this section, again violates the provisions of this section shall be punished by imprisonment for one month, and the sentence imposing such imprisonment shall not be suspended.

2. General Library Rules of Behavior

A. Philosophy

The Somerset Public Library exists to serve as a center of informal learning, individual growth and recreation for the citizens of Somerset. The Library expects to make a contribution to the learning process and to aid individuals in the life long process of growth and appreciation and understanding of themselves, their neighbors and the world around them. In addition, the library makes its building available as a setting for appropriate events according to the needs and interests of the community.

B. Governance

The Library Board of Trustees is responsible for determining the rules of behavior necessary to protect the rights of individuals to use library materials and services; to protect the rights of library employees; to conduct library business without interference; and preserve library materials and facilities.

The Board of Library Trustees believes that library patrons, regardless of age, have the right to use library materials and services without being disturbed or impeded by abusive and/or disruptive library users; that library patrons and employees have the right to an environment that is secure and comfortable; and that library patrons and employees have a right to materials and facilities that are available and in good condition.

C. Adult Policy

Adult persons are described as being eighteen years of age or older. The Library exists for the use by patrons; therefore, the Library Staff should encourage patrons toward acceptable library behavior.

1. The staff will give warning of inappropriate behavior.
2. The staff will explain rules to the patron and may offer alternatives.
3. If the disruption is minor in nature, and after explanation and warning, the patron may be asked to leave for the rest of the day.

4. If the offending patron refuses to follow the requests of the staff, or if the staff feels there is potential danger to patrons or staff, the police may be called.

D. Behavioral Standards

The follow serves as a general behavioral guide for all patrons, whether adult or child, while in the library.

1. No smoking (or use of tobacco in any form) or use of controlled substance is allowed in the Library.
2. There is a restricted area eating and drinking in public service areas of the Library [see separate Food and Drink Policy].
3. No soliciting or distributing of leaflets within the Library is allowed. With the approval of the Library Director or Department Head, items may be left for display on bulletin boards and/or pamphlet racks.
4. Animals are not permitted in the main section of the Library (except for guide or assist animals).
5. Appropriate attire including shirts and shoes must be worn at all times.
6. Roller skates and roller blades, etc., are not allowed in the Library
7. Bicycles ridden to the Library should be placed in the bicycle rack and locked. Bicycles may not be left inside the Library nor may they be left on the sidewalks leading into the building. The Library is not responsible for lost or stolen bicycles.
8. Personal electronic music devices (for example: Radios, tape players MP3 players) may be used, but only with personal headphones. The staff reserves the right to request the volumes be turned lower.
9. Any sports equipment brought into the Library must be left at the public service desk. (Examples – skateboards, basketballs, tennis rackets, etc.) The Library is not responsible for lost or stolen items.
10. Using cell phones or other communication devices to make phone calls is not allowed in the main library. These devices may be used in the vestibule or hallways of the library. Personal "smart phones" are allowed in the main library for all purposes except for making calls. Earphones must be used so as not to disturb other patrons.
11. The staff is not responsible for personal belongings left unattended.
12. Items left behind will be placed in lost and found for thirty days. After thirty days the items will be discarded or donated to an appropriate organization based upon the item. Any items donated will be documented.
13. To the extent permitted by law, the Library Staff reserves the right to call the Police to inspect any/all bags, purses, briefcases, packs, etc. for library materials which may have been inadvertently packed with patron's other materials.

14. The materials and equipment in the Library are here for patrons and staff use. Any purposeful damage done to the materials, equipment, furniture, building or property of the Public Library is against the law and will be reported to the police.
15. The telephone at the Circulation Desk may be used by patrons (with permission of the staff) in case of emergency or to call home for rides. Patrons may not use the Library phone for casual personal use.
16. Many patrons use our Library for study. Loud or boisterous behavior is not permitted at any time.
17. Physical or verbal harassment of staff or patrons is not permitted at any time.
18. There is a separate policy on patron behavior while utilizing the Internet and Public Computer terminals.

E. Parental, Legal Guardian, Caregiver Responsibilities

The Somerset Public Library recognizes that parents, legal guardians and/or caregivers should be responsible in ensuring that any child or children in their care follow the rules and guidelines of accepted behavior while in the Library. A policy has been developed with this goal in mind and should be read and understood by all patrons utilizing the Library facilities. Please refer to the [Library Behavior Policy- Child](#) for more information.

F. Special Needs Exception

The Somerset Public Library recognizes that there may be special circumstances regarding behavior of a disabled or special needs patron. If a complaint of disturbance is brought to staff attention, staff is not allowed to disclose if a disability or diagnosis is or is not the cause of disturbance. The staff will act accordingly to assess the situation and take any necessary actions needed to ensure that the situation is resolved promptly. The Somerset Public Library encourages designated guardians/counselors/caregivers to disclosed to the library staff if there is a “special need diagnosis: in order to be covered under the Special Needs Exception rule. Designated guardians/counselors/caregivers have the right to not disclose if there is a special needs diagnosis; however, staff is required to implement the Adult Behavior guidelines (see above) when no diagnosis in communicated. If any patron fees that a situation was not handled in a professional and timely manner, the patron has the right to request a grievance form which may be completed and submitted to the Library Director/or the Board of Trustees for adjudication.

G. Emergency Situations

In case of medical emergency, the Town of Somerset emergency personnel will be notified, and the parent(s), legal guardian(s) and/or caregiver(s) will be contacted – in that order.

TRUSTEE APPROVAL DATE	CURRENT REVISION	DESCRIPTION OF CHANGE
2/27/1992	-	Original release of the Behavior Policy
6/17/2008	B	Update to policy, approved by Board of Trustees
5/15/2012	C	Reviewed by Trustees, reaffirmed
		(All revisions approved by Town's Attorney)