

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Library DSM

BOARD AGENDA # \*B-6

Urgent  Routine

AGENDA DATE July 14, 2015

CEO Concur with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Amend the Rules for Behavior for the Stanislaus County Library System

STAFF RECOMMENDATIONS:

Amend the Rules for Behavior for the Stanislaus County Library System as shown in Attachment A.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2015-330

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith

and approved by the following vote.

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

ATTEST: Christine Ferraro  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

**DISCUSSION:**

The Library Rules for Behavior were first adopted by the Board of Supervisors on March 26, 1985, and amended on March 11, 1997, April 1, 2003, December 19, 2006, September 25, 2007, and December 16, 2008. The Rules for Behavior have been updated, reworded, and amended to the most recent version shown on Attachment A.

The Library's Goals and Guiding Principles include a promise to provide, "Safe places to search, dream and learn." The Library must also be a safe place to work. The County is committed to maintaining an atmosphere conducive to open access and service to the public, while providing a safe and healthy working environment for its employees. The Library Rules for Behavior provides a document that clearly states acceptable and unacceptable behaviors on Library property.

As shown on Attachment B, the Library Rules for Behavior, updates include provisions to:

- Add appropriate clothing including shirts and footwear, worn at all times (#4);
- Allow covered beverages (#5);
- Prohibit all smoking in and around the libraries (#6);
- Correct verbs to present tense for consistency (#7, #9); and
- Update weapons Penal Code sections (#17).

Additionally, the Library Internet Use Policy and Rules have been deleted from the Rules for Behavior document and have become a separate policy.

The Library strives to create a welcoming and comfortable environment for customers. Consistent with this goal, the Library is revising the Rules for Behavior to allow customers to bring beverages in covered containers into the thirteen library branches. This amendment will help create a more relaxed atmosphere where customers can enjoy their beverages while reading a book or using the internet. It will also improve library safety since the number of warnings issued to customers bringing drinks into the libraries, which at times has resulted in confrontations, will decrease substantially.

The other significant change is to ban smoking from all Library property rather than just inside library buildings. Currently, customers are allowed to smoke outdoors twenty feet from entrances, windows and ventilation systems. However, the second hand smoke can still drift into the libraries when the doors open and close. Additionally, when entering and exiting the libraries, customers are forced to walk through clouds of smoke. This revision will create a healthier smoke free environment and also alleviate the littering problem of cigarette butts left on library walkways, flowerbeds and lawns.

The Library is currently in the process of upgrading the Library Wi-Fi system to provide 24/7 internet services to anyone within the immediate proximity of the libraries by simply

agreeing to the terms of an electronic version of the Library Internet Use Policy and Rules. This notification and acceptance method is a standard practice for many online applications and services. Persons accessing the internet using their own electronic devices and who have never stepped inside of the Library, will be held to the same rules as someone reserving a library computer inside any of the library branches.

As the Library Internet Use Policy and Rules will apply equally to both Library customers and non Library customers accessing Library internet services, it is being removed from the Rules for Behavior which only governs customers when in or on the grounds of the libraries, and made into its own stand-alone policy.

**POLICY ISSUE:**

This item addresses the Board of Supervisors priorities of A Safe Community, A Healthy Community and Efficient Delivery of Public Services by creating rules of behavior to foster an atmosphere conducive to open access and service to the public, while providing a safe and healthy working environment for its employees.

**STAFFING IMPACT:**

There is no staffing impact associated with this item.

**CONTACT:**

Diane McDonnell, County Librarian      Phone: 558-7801

## STANISLAUS COUNTY LIBRARY RULES FOR BEHAVIOR

Adopted by the Stanislaus County Board of Supervisors on March 26, 1985;  
Amended on March 11, 1997; April 1, 2003; December 19, 2006;  
September 25, 2007; December 16, 2008; July 14, 2015

**No person shall, in or on the grounds of any Stanislaus County library, engage in any behavior that interferes with another person's use of the library or with the ability of a member of the library staff to perform his or her job. This includes all disruptive and unsafe behavior such as that listed below:**

### GENERAL RULES:

1. Engaging in any activity prohibited by law.\*
2. Being under the influence of alcohol or a controlled substance as defined by California law.
3. Making loud noise, using offensive language, verbal abuse, insulting language, intimidating language, verbal threats or non-verbal threats, repeated unwelcome advances, offensive gestures, or staring at another person, which could reasonably be expected to disturb others.
4. Failing to maintain personal cleanliness or extremely poor hygiene. Appropriate clothing, including shirts and footwear, must be worn at all times.
5. Eating in the library unless part of a special program. Covered beverages are allowed and may be consumed in the library.
6. All smoking, including but not limited to, the use of all tobacco products and e-cigarettes in and around the libraries. This includes the portico and grass surrounding the Modesto Library, and all walkways and landscaping surrounding branch libraries (Government Code Section 7597).
7. Using bicycles, tricycles, scooters, skates, skateboards, or roller blades in the library or on the walkways surrounding the library.
8. Obstructing library entrances, exits, aisles, or other areas in any manner with large items such as backpacks, luggage, wheelchairs, walkers, strollers, shopping carts, or any items named in 7, which may create a safety hazard.
9. Harassing a library customer or staff. "Harassing" includes any verbal or non-verbal conduct which is likely to frighten, embarrass, anger, or annoy a person to the extent that that person's use of the library or ability to work in the library is unreasonably curtailed by the conduct.
10. Engaging in sexual conduct such as exposure or touching.
11. Engaging in any activity that may result in injury or harm to any person.
12. Running in the library.
13. Engaging in any activity that may result in damage to property belonging to the library or another person including altering software configurations, or vandalizing or defacing materials, equipment or facilities. (Note: The parent or guardian of a minor who willfully and maliciously commits any act within the scope of Education Code section 19910 shall be liable for all damages so caused by the minor.)

## ATTACHMENT A

14. Bringing any animal, except for guide or assistance dogs onto the premises.
  15. Soliciting, petitioning, or selling merchandise. Conducting any business for personal gain or any service for a fee is prohibited.
  16. Sleeping in the library facilities, utilizing the library facilities for bathing, washing clothes, washing utensils or other items, or preparing food. No person shall camp in library facilities or on library grounds. Camping means the use of library property for living accommodations.
  17. Bringing in any weapons. "Weapons" include all items described or listed in Penal Code sections 171b, 16510, 16520, 16590 and 21510.
  18. Participating in any gaming or gambling (Penal Code sections 330-337j)
  19. Engaging in activities that are disruptive by repeated violations of computer use guidelines.
- \* **Persons in apparent violation of any Federal, State, or Local law will be reported to law enforcement and legal action will be taken which may result in arrest and prosecution.**

### **SAFETY RULES:**

The library is not responsible for children who are left unattended.

Be aware of your personal property. The library is not responsible for personal items that are lost, stolen or damaged.

Any personal property left unattended is subject to being removed.

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4. Failing to maintain personal cleanliness or extremely poor hygiene. Appropriate clothing, including shirts and footwear, must be worn at all times.
5. Eating in the library unless part of a special program. Covered beverages are allowed and may be consumed in the library. Consuming food or beverages in the library, except in designated areas, as authorized by the County Librarian. Customers may consume water only, in closed containers, throughout the public areas of the library.
6. All smoking, including but not limited to, the use of all tobacco products and e-cigarettes in and around the libraries. This includes the portico and grass surrounding the Modesto Library, and all walkways and landscaping surrounding branch libraries (Government Code Section 7597). Smoking in the library.
7. Using Use of bicycles, tricycles, scooters, skates, skateboards, or roller blades in the library or on the walkways surrounding the library, in any way to impede access to the library.
8. Obstructing library entrances, exits, aisles, or other areas in any manner with large items such as backpacks, luggage, wheelchairs, walkers, strollers, shopping carts, or any items named in 7, which may create a safety hazard.
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  16. Sleeping in the library facilities, utilizing the library facilities for bathing, washing clothes, washing utensils or other items, or preparing food. No person shall camp in library facilities or on library grounds. Camping means the use of library property for living accommodations.
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**INTERNET/COMPUTER RULES AND GUIDELINES:**

- ~~i. The individual signing up must be the one using the computer.~~
  - ~~ii. No more than two people may be at a computer in the adult Internet/computer area. Only one user and two observers are allowed at a children's computer at one time.~~
  - ~~iii. To use the adult Internet/computer stations, customers aged 12 and under must be accompanied by a parent or guardian with proper identification to use adult Internet stations. The parent or guardian must remain at the computer with the child to monitor use.~~
- ~~Children's Internet/computer stations are reserved for children ages 4-12. Children ages 4-7 must have an adult with them at the computer at all times.~~
- iv. Users may not:
    - ~~a. Use the Library's Internet terminals for illegal or unethical purposes.~~
    - ~~b. Make any attempt to alter or damage computer hardware or software.~~
    - ~~c. Use the computers to make unauthorized entry into other networks or systems.~~
    - ~~d. Invade the privacy of others or send harassing or threatening messages.~~
    - ~~e. Use the Library's Internet terminals to view or disseminate illegal images.~~

- ~~f. Make unauthorized copies of copyrighted or licensed software or data.~~
- ~~g. Make distracting noises at or around the terminals.~~
- ~~v. Repeated access to sites that are offensive to other patrons and staff will be treated as harassment.~~
- ~~vi. Providing Internet access at public terminals involves adapting what is ordinarily a private instrument, the personal computer, to a public setting. When using a Library computer, privacy cannot be guaranteed. Users are cautioned that the Library computers on which the public can access the Internet are in public areas which must be shared by library users of all ages, backgrounds and sensibilities. Individuals are asked to consider this and to respect the sensibilities of others when accessing potentially offensive information and images.~~
- ~~vii. Users are cautioned that the Internet is not a secure medium and the privacy of electronic communication cannot be guaranteed. All transactions, files and communication are vulnerable to unauthorized access and use and, therefore, should be considered public.~~

**~~Violations to the Internet/Computer Rules and Guidelines may result in loss of Internet privileges. Any illegal activity involving the Library's Internet connections will be subject to prosecution by the appropriate authorities.~~**

**~~The library reserves the right to restrict persons who do not abide by the Rules from the use of its facilities and premises. Noncompliance with the library's Rules may result in an individual being required to leave the library premises immediately and/or loss of library privileges.~~**

#### **PUBLIC WIRELESS INTERNET ACCESS POLICY:**

~~The Stanislaus County Library provides free Internet access points or "hot spots" in designated areas in each of its branches during normal library business hours. A valid Stanislaus County Library card and PIN are required. Use of the Library's wireless Internet network constitutes acceptance of and an agreement to abide by the following rules and limitations:~~

##### **Acceptable Use**

~~All customers are expected to use the Library's wireless network in a legal and responsible manner, consistent with the educational and informational purposes for which it is provided. Wireless access is not filtered and users shall abide by all applicable laws, rules, and regulations of the State of California, the Federal government, and the Stanislaus County Library. Parents and guardians are responsible for determining what information is appropriate for their children. The Library is not responsible or liable to minors, their parents or guardians for exposure to obscene or objectionable content viewed on personal computers through use of the Library's wireless network.~~

~~Violation of the Library's Wireless and Internet Use Policy or abuse of networking equipment may result in the denial of access to the wireless network in all Stanislaus Library branches. Unlawful activity will be dealt with in an appropriate manner up to and including referral to the appropriate law enforcement agency.~~

##### **Equipment and Technical Assistance**

~~Laptops and other devices should be equipped with a wireless card that supports the WiFi standard (IEEE 802.11b/802.11g). Users are responsible for configuring their equipment and the Library makes no guarantee that a user's hardware will work with the Library's wireless connection. Library staff is not able to provide technical assistance. Users would need to contact technical support as applicable to their personal equipment. Printing is not available for wireless users.~~



**Safety and Security**

~~As with most public wireless networks, the Library's wireless connection is not secure. Information being transmitted could potentially be intercepted by another wireless user. Wireless users may choose not to transmit personal information (credit card numbers, passwords, and any other sensitive information) while using any wireless network. Wireless users should take appropriate precautions when using this service.~~

~~All wireless access users are encouraged to have up-to-date virus protection on their laptop computers or wireless devices. The Library is not responsible for any information (e.g. credit card) that is compromised, or for any damage caused to a user's hardware or software such as electric surges, security issues or consequences caused by viruses or hacking.~~

~~Limited electrical outlets are available for customers using their laptops or notebooks, in certain sections of the Library, instead of using their computer's battery power exclusively. However, users may not unplug Library equipment to use an outlet. Users may have Library privileges revoked or suspended and may be held financially responsible by the Library for creating unreasonably unsafe conditions, such as a tripping hazard with power cords or transformers, which cause damage to property or injury to Library employees or other customers.~~