

Proposed Behavior Policy updates

From: Director Darryl Eschete

To: Oshkosh Public Library Board of Trustees

4.19.2024

Those visiting the Oshkosh Public Library are expected and presumed to be engaged in the productive use of the library's resources. This includes reading, studying, researching, attending programs and utilizing library resources. Patrons have the right to use the library undisturbed and library employees have the right to work without undue interference.

**Please note:** Adult patrons in the children's or teen areas who are not retrieving children's or teen materials nor are caregivers for a child or teen may be asked to relocate to other areas of the library.

The library will not tolerate bullying in any library space, gathering or program and staff will do all they reasonably can to create a safe space for all library users, regardless of an individual's actual or perceived age, color, creed/denomination, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes/appearance, level of physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, housing status or familial status. For this policy's purposes, bullying is defined as the unwanted, aggressive use of physical, social or mental/intellectual power to control, harm or humiliate another person in a damaging, repetitive or pervasive manner. This policy is written with the presumption that all library users and employees should be free of any threat of harm, invasion of property, or gross indignity. To protect these rights for all persons, the Oshkosh Public Library Board of Trustees, pursuant to authority granted in City of Oshkosh City Code 2-49, has approved the following rules.

Those who come upon the library grounds or enter the library building will be expected to refrain from any conduct which would be understood to disturb or interfere with the legitimate use of the library or interfere with the library's right to maintain a clean, pleasant, and safe facility.

No person shall:

1. Refuse to follow reasonable directives or instructions from a library staff member.
2. Willfully and purposely expose patrons and/or staff to images or language in such a way that a reasonable observer would consider the behavior sexual harassment.
3. Use the Internet in any way contrary to the Internet Access Policy of the Oshkosh Public Library.
4. Behave in a disorderly, loud, or boisterous manner, including fighting, rough play, running, shouting or use of foul or offensive language. Wis. Stat. 947.01
5. Engage in lengthy conversations (including conversations on cellular phones) in the library, unless taking part in a library event or program. **Conversations in the library building should not be easily heard by those not directly involved in them. Six feet is a rule of thumb staff uses to assess noise—if your conversation can be heard six or more feet away, please lower your voice or take your conversation outside/elsewhere.**
6. Use any audio, personal communication or computing device in a manner that is disturbing to other patrons. Cell phone ringers should be set to silent or vibrate and device speakers muted or headphones used. **No device used in the library building should be heard by someone not using the device. Six feet is a rule of thumb staff uses to assess noise—if your device can be**

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**heard six or more feet away, please turn it down, use headphones or earbuds or take it outside/elsewhere.**

7. Willfully annoy, harass, attempt to intimidate or threaten other patrons or library staff.
8. Consume food or beverages within the library building unless food is contained within sealable snack bags or closable, portable bottles. Open plates or dishes, as well as large meals, are prohibited, unless allowed in a particular area or for a particular library activity.
9. Litter or leave discarded material or trash anywhere in the building or grounds; garbage cans or trash receptacles are available for use.
10. Bring large bags, backpacks, bedrolls, buggies or carts into the library. **All belongings brought into the library must fit in bags or other modes of transport that can be carried completely on one's person and fit under a single standard wooden chair of the sort found in the building.**

Wheeled carts will be allowed if they are for:

- transporting equipment for library programs and/or library materials;
- transporting small children (prams/strollers);
- transportation of the mobility-challenged (wheelchairs/walkers/motorized scooters).

If other exceptions are requested, the request must be made directly to the library director.

11. Leave packages, backpacks or personal belongings unattended. Personal property must be within sight of the owner at all times. The library assumes no responsibility for the security of belongings left unattended. However, belongings left unattended for a long time or abandoned will be collected by staff and, if not claimed within two weeks, disposed of or, in cases of suspected higher value, referred to the Oshkosh Police Department.
12. Ignore or fail to proactively manage the behavior of children accompanied into the library.
13. Consume or possess alcoholic beverages in the building or on the grounds unless the Oshkosh Public Library Board of Trustees has previously reviewed and approved of an event or function at the library where alcoholic beverages will be provided. The consumption or possession of alcoholic beverages shall be limited to that provided to those in attendance at the approved library event or function and shall be confined to a designated area within the library during the event or function.
14. Possess, consume, buy or sell any drug or controlled substance in the building or on the grounds, except when taking a medication prescribed to the user.
15. Be detectably intoxicated or in a state of chemically altered awareness while in the library building or on grounds.
16. Use tobacco in the library building or on library grounds. This includes the smoking, displaying, or visible carrying of any kind of pipe, cigar, cigarette, or any other smoking equipment; using

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any electronic device that simulates smoking (“vaping”); rolling tobacco; or using smokefree oral tobacco products. Library property is a tobacco-free and electronic cigarette-free environment.

17. Solicit funds, “panhandle,” or engage in commercial activity (i.e., sales or service for pay) in the building or on the grounds unless previously authorized by library administration.
18. Possess, brandish or use weapons of any kind, including but not limited to, guns, knives, machetes, stun guns, or any other device designed as a weapon and capable of producing death or great bodily harm as per Wis. Stat. 939.22(10). Staff concerned about the safety of approaching an armed patron may refer the matter directly to the Oshkosh Police Department without warning.
19. Bring any machinery or equipment operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices unless as part of a library program under staff or other qualified supervision.
20. Interfere with another person’s passage within the library or on library grounds or block any entrances, exits or aisles.
21. Deface or destroy library property.
22. Relocate or rearrange library furniture beyond repositioning existing seating around tables or use library furniture in ways other than intended by design. Chairs are to be used by one person at a time except in cases of a parents or caregivers holding small children on their laps.
23. Sleep in the library or exhibit the appearance of sleep.
24. Remain in the library or attempt to remain in the library after regular closing hours unless taking part in an after-hours program or by other prior arrangement with library administration.
25. Interfere with patrons' use of the library through poor bodily hygiene which is so offensive as to constitute a nuisance or through excessive use of perfume, cologne or alcohol.
26. Be in any state of inappropriate undress, including the wearing of sheer or ripped clothing that exposes any part of the body mentioned in Wis. Stat. 944.20. Shoes must be worn in the building in all seasons of the year, unless removing shoes is part of a library event or program.
27. Bring animals into the library building except for service animals or service-animals-in-training as defined by Title II and Title III of The Americans with Disabilities Act, Wis. Stat. 106.52(1)(fm), and the 2005 Wisconsin Act 354 unless as part of an approved program or event pre-approved by library staff and administration. **Emotional support animals are not permitted in the Oshkosh Public Library.**
28. Leave pets unattended on library grounds.
29. Use sports equipment, skates, skateboards, or scooters in the library. Sports equipment carried into the building should be checked in at the circulation desk on the first floor.

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30. Leave bicycles unattended on the grounds. Bike racks are available on the library grounds and locks may be checked out at the circulation desk.
31. Campaign, leaflet, petition, interview or survey patrons or staff or attempt to do so in the building. This would include approaching patrons or staff to give unsolicited gifts. Such activities can take place on the grounds provided they are not a hindrance to the safe passage of automobile or foot traffic.
32. Engage in sexual activity of any kind, including inappropriate displays of romantic affection.
33. Enter or attempt to enter any area of the building or grounds marked as restricted or for staff only.
34. Use bathrooms for unreasonable or unintended purposes such as bathing, laundering, or washing dishes.
35. Remain in library bathrooms for extended periods of time. Patrons lingering in library restroom facilities will be subject to periodic checks. In the event of prolonged occupancy raising concerns for individual welfare, emergency medical services (EMS) may be summoned as a precautionary measure.

Any patron violating any of these policies will have the matter clearly brought to their attention for correction **ONE TIME**. If the infraction is repeated during a library visit, they will be asked to leave the library for the remainder of the business day. Those who refuse to leave will be referred to the Oshkosh Police Department for removal/escorting off of the premises and subsequently placed on a notice of no-trespass for **one month**. Returning within that one month will result in a notice of no trespass for **one year**. Violating the no-trespass notice again in that time period will result in an **indefinite ban**.

**In cases where a patron repeatedly violates the same policy on separate occasions, library staff reserve the right to ask the individual to leave the premises immediately and may issue a notice of no-trespass without prior warning. Such actions will be at the discretion of library staff and administration, considering the severity and frequency of the violations.**

All illegal activity witnessed or reported will be referred to the Oshkosh Police Department immediately and in detail, including the identities and likenesses of those involved, if known and available.

Patrons engaging in illegal, violent or threatening behavior towards staff or other patrons will be placed on an order of no trespass of indefinite length subject to Library Board review prior to readmittance.