



STAFF REPORT ACTION REQUIRED

Rules of Conduct Policy Revisions

Date:	September 17, 2007
To:	Toronto Public Library Board
From:	City Librarian

SUMMARY

The Toronto Public Library Rules of Conduct Policy and related Policies (Exclusion/Reinstatement and Appeals) support the Library's mission to *preserve and promote universal access to a broad range of human knowledge, experience, information and ideas in a welcoming and supportive environment*. The Policies set out expectations for public behaviour to support equitable access to library services, the consequences for violations and the appeals process.

As part of the Library's ongoing review of policies to improve library service and issues resulting from the application of the Policies, amendments to the Rules of Conduct and related Policies are proposed. These amendments have been discussed with the Central Joint Health and Safety Committee and their comments have been incorporated. Additionally, the amendments have been reviewed by legal counsel.

The purpose of this report is to recommend approval of three substantive amendments to the Rules of Conduct and related Policies as well as minor wording changes that help to clarify the Policies for the public. The proposed amendments include:

1. Adding references to the Ontario Human Rights Code to the Rules of Conduct to demonstrate the Library's commitment to observing and upholding human rights;
2. Allowing eating and drinking within the Library, except in areas where it may be potentially harmful to Library materials and property;
3. Adding a new Rule of Conduct #14 to reference that an individual has the right to appeal his or her exclusion and that the review will be conducted in a closed meeting of the Board to protect the privacy of individuals involved.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. Approves the revised Rules of Conduct Policy (Attachment 1);

2. Approves the revised Rules of Conduct – Reinstatement/Exclusion Policy (Attachment 2); and
3. Approves the revised Rules of Conduct – Appeals Policy (Attachment 3).

Implementation Points

Existing Rules of Conduct signage, which is currently posted in all branches, will be replaced with the revised Rules of Conduct. The Ontario Human Rights Code Card provided by the Ontario Human Rights Commission will be posted in all branches.

Appropriate signage will be placed in designated branch areas where eating and drinking are not allowed. Specific areas will be determined on a branch by branch basis.

Additionally, there will be staff communications related to the revisions to ensure consistent interpretation and application of the Rules of Conduct across the system.

FINANCIAL IMPACT

The costs associated with the implementation of this Policy will be accommodated within the Library's existing operating and capital budgets. There will be a minimal financial impact to cover costs associated with posting the Rules of Conduct and the Ontario Human Rights Code Card in all branches.

DECISION HISTORY

At its meeting of January 29, 1998, the Toronto Public Library Board approved the Rules of Conduct Policy and the related Rules of Conduct - Exclusion/Reinstatement Policy.

At its meeting of March 30, 1998, the Toronto Public Library Board approved the Rules of Conduct Appeals Policy.

The Central Joint Health and Safety Committee and legal counsel have been consulted on proposed revisions to the Rules of Conduct and related Policies. Their input has been incorporated into the Policies' suggested revisions.

ISSUE BACKGROUND

The Library's Rules of Conduct and related Policies consist of three policies: the Rules of Conduct Policy; the Rules of Conduct-Exclusion/Reinstatement Policy; and the Rules of Conduct-Appeals Policy. These three Toronto Public Library Policies set out:

- The expectations for public behaviour in the Library;
- Actions that may be taken by library staff when disruptive or intrusive behaviour occurs; and
- The appeals process for a patron who has been excluded.

The Rules of Conduct and related Policies are in keeping with the Public Libraries Act which outlines a public library board's role with respect to making rules. Specifically, the Public Libraries Act in section 23. (4) indicates that a "board may make rules,

- (a) for the use of library services;
- (b) for the admission of the public to the library;
- (c) for the exclusion from the library of persons who behave in a disruptive manner or cause damage to library property;
- (d) imposing fines for breaches of the rules;
- (e) suspending library privileges for breaches of the rules; and
- (f) regulating all other matters connected with the management of the library and library property."

Revisions to the Rules of Conduct and related Policies result from the Library's on-going review of policies to improve library services and issues arising through the application of the Policies.

COMMENTS

Suggested revisions to the Rules of Conduct and related Policies for approval are highlighted in Attachments 1, 2, and 3. An overview of the substantive changes is provided below.

Ontario Human Rights Code

The Rules of Conduct now make specific reference to observing and upholding the Ontario Human Rights Code. This change communicates to customers and staff members the Library's commitment to observing and upholding human rights and the Ontario Human Rights Code.

Eating and Drinking Rule

The Rules of Conduct have been revised to allow eating and drinking in the Library, which is consistent with the approach of many public libraries across North America. Allowing eating and drinking is in tune with urban practices and creates a welcoming public space. This revision will provide customers with the opportunity to bring their coffee, water, snack foods, and drinks into all branches, not just into those locations with food concessions and vending machines. This will benefit customers who spend long periods of time in the Library.

It is recognized that there may be certain areas within branches where eating and drinking may not be appropriate and potentially harmful to Library materials, for example, in areas with special collections or at computer workstations. The revision allows the Library to designate areas where eating and drinking are not allowed. The Library recognizes the importance of balancing the needs of individual users with maintaining a welcoming environment.

Appeals Rule

Rule #14 was added to the Rules of Conduct to inform members of the public of their right to appeal under the Rules of Conduct -Appeals Policy.

Rule #8 of the Rules of Conduct-Appeals Policy has been revised to specify that all appeals to the Board will be heard in closed meeting to protect the privacy of individuals involved. This revision is in keeping with the Public Libraries Act and the Board's Procedural By-law which specifies that *a meeting or part of a meeting may be closed to the public if the subject matter being considered is personal matters about an identifiable individual.*

CONTACT

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SIGNATURE

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City Librarian

ATTACHMENTS

- Attachment 1: Revised Rules of Conduct Policy
- Attachment 2: Revised Rules of Conduct – Exclusion/Reinstatement Policy
- Attachment 3: Revised Rules of Conduct- Appeals Policy