

CHEMUNG COUNTY LIBRARY DISTRICT POLICY MANUAL

Policy No. 200

SUBJECT: PUBLIC EXPRESSION AT MEETINGS

Public Meetings. All meetings of the Board of Trustees shall be conducted in public, and the public has the right to attend all such meetings. Public expression at such meetings shall be encouraged and a specific portion of the agenda for regular meetings shall provide for this privilege of the floor. At its discretion, the Board of Trustees may invite visitors to participate in the Board's discussion of matters on the agenda.

Addressing the Board. Persons interested in addressing the Board are urged to contact the Director or the Board of Trustees president at least five days before a regular meeting to reserve a place on the agenda. However, persons may also be recognized by the President or presiding officer during a regular meeting. A person addressing the Board of Trustees shall stand, identify himself/herself by name and address, identify any organization he/she might be representing at the meeting, and identify the agenda topic they wish to discuss.

Time limits. Comments should be kept as brief as possible, relate to library matters, and be limited to five (5) minutes for those persons on the agenda and three (3) minutes for those persons recognized from the floor.

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Policy No. 201

SUBJECT: PUBLIC ACCESS TO RECORDS

Generally. Access to the records of the Library District shall comport with all the requirements of the New York State Public Officers Law. Reasonable fees may be charged as permitted by the Law.

Records Access Officer. A Records Access Officer shall be designated by the Director, subject to the approval of the Board of Trustees, who shall have the duty of coordinating the Library District's response to requests for access to records.

Requests for Records via Email. The Library District shall accept requests for records submitted in the form of electronic mail and respond to such requests by electronic mail. This information shall be posted on the Library District website, clearly designating the email address for purposes of receiving requests for records via this medium.

Board of Trustees Meeting Records. Records that would be subject to release under the New York State Freedom of Information Law (FOIL) – as well as any rule, regulation, policy, or amendment thereof – that are on the Trustees' agenda and scheduled to be discussed at a Board of Trustees meeting shall be made available upon request, to the extent practicable, prior to the meeting. Copies of such records may be made available for a reasonable fee. The Library District shall post such records on its website, to the extent practicable, prior to the meeting.

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Policy No. 202

SUBJECT: PUBLIC COMPLAINTS

General Complaints. Complaints by citizens regarding any facet of library operations can often be handled best by the staff at the branch where the complaint arises. In most instances, therefore, complaints will be made to the branch manager or shift supervisor if the matter cannot be resolved by any other branch employee.

Chain of Command. If a complaint or related concerns are not resolved at the branch level to the satisfaction of the complainant, the complaint may be carried to the Library Director. Unresolved complaints at the branch level must also be reported to the Director by the manager or supervisor at the branch in question. The Director may require the statement of the complainant in writing.

Appeals. If the complaint or related concerns are not resolved at the Director level to the satisfaction of the complainant, the complaint may be appealed to the Board of Trustees.

Responses. Whenever a complaint is made directly to the Board of Trustees as a whole or to a Trustee as an individual, the complaint will be referred to the Director for investigation and resolution. The Director, following the investigation, should respond appropriately to the person making the complaint, taking care to respect and protect any confidential aspects. If the complaint pertains to an individual employee, the individual employee involved will be advised of the nature of the complaint and given an opportunity to comment.

Trustee Neutrality. In light of each Trustee's fiduciary duties, no Trustee should act as a witness or advocate for any individual or group in any complaints where the Trustee was not personally involved.

Challenge of Library Material

Complaints. The Chemung County Library District supports the Library Bill of Rights and the Freedom to Read. Should any patron of the Library District raise a question about any materials provided by the Library being in any way objectionable, the complainant must file a written complaint with the Director on a form provided for this purpose. The complainant must be properly identified before the request is considered.

Review. The Director will:

1. Consider the specific objections to the material voiced by the complainant;
2. Weigh the values and faults of the material as a whole;

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3. Where appropriate, solicit advice or opinion from the library staff, other library directors, and the American Library Association Office for Intellectual Freedom.
4. Issue a written decision within ninety days of the any complaint.

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Policy No. 210

SUBJECT: BOARD-STAFF COMMUNICATIONS

The Board of Trustees wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Director.

Staff Communication to the Board. All communications or reports to the Board of Trustees or any of its subcommittees from library staff members will be submitted through the Director. This procedure does not deny the right of any employee to appeal to the Board of Trustees provided that the Director has been notified of the appeal.

Board Communications to Staff. All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Director. The Director will develop appropriate methods to keep staff fully informed of the Board of Trustees' activities and actions.

Visits to Libraries. Board of Trustees members interested in visiting libraries may do so at any time during regular business hours. Such visits will be regarded as informal expressions of interest in library affairs and not visits for supervisory or administrative purposes.

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Policy No. 211

SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES

Generally. All Library District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination, or reprisal.

Initial resolution. Employee complaints and grievances shall, where required, comply with applicable laws and with the provisions of applicable collective bargaining agreements. Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Director is responsible for implementing procedures for the redress of complaints or grievances through proper administrative channels.

Retaliatory Behavior. The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination or retaliation.

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Policy No. 220

SUBJECT: RELATIONS WITH MUNICIPAL GOVERNMENTS

It is the policy of the Board of Trustees to establish and maintain a positive working relationship with the governing bodies of Chemung County and its component municipalities. The Board of Trustees shall also cooperate with municipal, county, and state agencies whose work affects the patrons of the Library, including local school districts and all emergency service agencies.

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Policy No. 221

SUBJECT: MEDIA RELATIONS

The Board of Trustees, in keeping with its responsibilities as a representative public body, designates the Board President as the official spokesperson for the Board of Trustees. Statements made by individual Trustees without express authorization of the Board shall be deemed to be individual statements and not statements of the Board.

All media contacts shall be referred to the Director. District employees are not authorized to speak on behalf of the District unless expressly designated by the Director. The Director may speak on behalf of the Library District within the scope of the Director's role as chief administrative officer but shall refer inquiries concerning the Board to the President.

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Policy No. 250

SUBJECT: CODE OF CONDUCT ON DISTRICT PROPERTY

Generally. The Library District maintains a written Code of Conduct for the maintenance of order on Library District property which governs the conduct of patrons and staff as well as visitors and/or vendors. Parents/guardians will be contacted when minors are found to be in violation of the Code.

Definitions. For purposes of this policy and the Code of Conduct, Library District property means any spaces on or in any building, structure, parking lot, or land contained within the real property boundary lines of the District's facilities.

Penalties. Violations of the Code of Conduct may result in verbal directives to comply, verbal and/or written directives to immediately vacate Library District property, verbal and/or written directives to remain off Library Property for a determined length of time, suspensions of the ability to use Library resources such as checking out materials, and/or referral to law enforcement agencies. The use of such penalties shall take into account the severity of the acts, the repeated nature of the acts, the violator's acknowledgment of the acts, and the potential detriment to the health, safety, and enjoyment of staff, patrons, and visitors. Allegations of Code violations by employees will be handled exclusively pursuant to procedures and standards required by law and/or applicable contracts of employment.

Publication. The Code of Conduct will be posted on the Library District website, and a printed copy will be available to all patrons and visitors to the facility.

Code of Conduct

1. Abusive behavior, whether physical or verbal, is not tolerated.
2. Loud, boisterous, and disruptive behavior is not permitted. Disruptive behavior includes, but is not limited to, a patron's personal hygiene that interferes with library operations or the ability of other patrons to use and enjoy the facility.
3. Destruction or defacing of library property and/or property of patrons is prohibited.
4. Smoking and tobacco use are not permitted.
5. Consuming food and beverages, or possessing unwrapped/unsealed food and beverages, in public areas is prohibited except as otherwise posted. At Steele Memorial Library, food and beverage containers with lids are permitted only in the magazine/newspaper lounge area. In the branch libraries, food and beverages may be permitted at the discretion of the staff.

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6. Patron and visitor usage of restrooms is limited to conventional purposes.
7. Use of office equipment is not permitted without the express permission of staff.
8. Theft of library materials, equipment, or other library property, and theft of staff or patron property, is not tolerated.
9. Patrons are required to remain in public service areas unless specifically escorted into non-public areas by a staff member.
10. Sexual behavior is not permitted and patrons engaged in such action will be required to leave the library.
11. No weapons of any kind are allowed in the library.
12. With the safety of minors in mind, a responsible adult must accompany children under the age of 9 in the library. This responsible individual must supervise, guide, and control the behavior of minors in his/her care.
13. Animals are prohibited except as permitted by the Use of Service Animals Policy.

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Policy No. 251

SUBJECT: NONDISCRIMINATION AND ANTI-HARASSMENT,
INCLUDING SEXUAL HARASSMENT

Statement of Purpose. The Board of Trustees affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Therefore, the Board prohibits and condemns all forms of harassment and discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, use of a recognized service animal, gender identity, criminal history, and any other protected classifications. The Board also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint. This policy of nondiscrimination and anti-harassment will be enforced on Library District premises and at all Library-sponsored events, programs, and activities, including those that take place at locations off District premises.

Definitions. Harassment shall mean any communication (e.g., verbal, written, or graphic) and/or physical conduct based on an individual's actual or perceived age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, use of a recognized service animal, gender identity, criminal history, and any other protected classification that:

- a) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance, or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual, or creates an intimidating, hostile, or offensive work environment;
- b) Has the purpose or effect of substantially or unreasonably interfering with a patron's participation in any library activity, or creates an intimidating, hostile, or offensive library environment;
- c) Otherwise adversely affects the employment and/or service/program opportunities and benefits provided by the District.

Sexual Harassment. Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

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- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment;
or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.

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- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Policy:

1. The Library District's policy applies to all employees, applicants for employment, interns, volunteers, trustees, patrons, visitors, non-employees such as contractors and vendors, whether paid or unpaid, and persons conducting business, regardless of immigration status, with the Library District. In the remainder of this document, the term "employees" refers to this collective group.
2. Harassment will not be tolerated. Any employee or individual covered by this policy who engages in harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of harassment, provides information, or otherwise assists in any investigation of a harassment complaint. The Library District will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected harassment. Any employee of the Library District who retaliates against anyone involved in a harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid

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interns, or non-employees¹ working in the workplace who believe they have been subject to such retaliation should inform a supervisor, the Board President, and/or his or her designee. All employees, paid or unpaid interns, or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

4. Harassment is offensive, is a violation of our policies, is unlawful, and may subject the Library District to liability for harm to targets of harassment. Harassers may also be individually subject to liability. Employees of every level who engage in harassment, including managers and supervisors who engage in harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. The Library District will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about harassment, or otherwise knows of possible harassment occurring. The Library District will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. The Library District will provide all employees with a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to the Director and to the Board President and/or his or her designee.
8. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.
9. This policy applies to all employees, volunteers, trustees, patrons, visitors, non-employees such as contractors and vendors, and any parties who are participating in activities subject to the supervision and control of the Library District.

Who can be a target of harassment?

Harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace.

¹ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

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Harassers can be a superior, a subordinate, a coworker, or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can harassment occur?

Unlawful harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

The Library District prohibits any retaliatory behavior directed toward complainants, victims, witnesses, or any individual who participated in the investigation of the complaint.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

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Reporting Harassment

Preventing harassment is everyone's responsibility. The Library District cannot prevent or remedy harassment unless it knows about it. Any employee, paid or unpaid intern, or non-employee who has been subjected to behavior that may constitute harassment is encouraged to report such behavior to a supervisor, the Director, the Board President, and/or his or her designee. Anyone who witnesses or becomes aware of potential instances of harassment should report such behavior to a supervisor, the Director, the Board President, and/or his or her designee.

Reports of harassment may be made verbally or in writing. A form for submission of a written complaint can be obtained at the office of any supervisor or the Director, and all employees are encouraged to use this complaint form. Employees who are reporting harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns, or non-employees who believe they have been a target of harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors who receive a complaint or information about suspected harassment, observe what may be harassing behavior or for any reason suspect that harassment is occurring, **are required** to report such suspected harassment to the Director and Board President and/or his or her designee.

In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors will be subject to discipline for failing to report suspected harassment or otherwise knowingly allowing harassment to continue.

Supervisors will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Harassment

All complaints or information about harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information, or knowledge of suspected harassment will be prompt and thorough, commenced immediately, and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

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Any employee may be required to cooperate as needed in an investigation of suspected harassment. Library District will not tolerate retaliation against employees who file complaints, support another's complaint, or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Director, or, if involving the Director, the Board President's designee, will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.

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- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Corrective Action. Based upon the results of this investigation, if the Library District determines that an individual has violated the terms of this policy, immediate corrective action will be taken as warranted. Should the offending individual be a patron, appropriate measures will be applied, up to and including banning the patron from Library District facilities. Should the offending individual be a library employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal requirements and applicable contracts. Third parties who are found to have violated this policy will be subject to appropriate sanctions as warranted and in compliance with the law. The application of such disciplinary measures by the Library District does not preclude the filing of civil and/or criminal charges as may be warranted.

Prohibition of Retaliatory Behavior. The Library District prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint. Follow-up inquiries may be made to ensure that harassment or discrimination has not resumed and that all those involved in the investigation of the complaint have not suffered retaliation.

Finding that Harassment or Discrimination Did Not Occur. At any level/stage of investigation, if a determination is made that the events alleged did not occur, the Director/designee will so notify the complainant and the alleged offender of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to policy or law and/or pursuing other legal avenues of recourse. Even if a determination is made that events alleged did not occur, the Director/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the Library District community is not conducive to fostering harassment or discrimination in the workplace.

Reports to the Board. In all cases, the Director or Board President's designee will inform the Board of Trustees of the results of each investigation. Anonymity will be maintained wherever possible.

Knowingly False Accusations. Employees and/or patrons who *knowingly* make false accusations against another individual as to allegations of harassment or discrimination may also face appropriate action.

Privacy Rights. As part of any investigation, the Library District has the right to search all library property and equipment including Library District computers. Rooms, desks, cabinets, lockers, computers, etc., may be provided by the Library District for the use of staff and patrons, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Appeals. Any determination by a Director or Board President's designee may be appealed to the Board President. An appeal shall be reviewed within five (5) business days of receipt and the

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underlying determination shall either be affirmed, modified, or referred back to the Director or Board President's designee for further action.

Employee Training. The Director/designee(s) will affirmatively discuss the topic of harassment and discrimination with all employees, express the District's condemnation of such conduct, and explain the sanctions for harassment and discrimination. Appropriate training and/or awareness programs will be established for staff to help ensure knowledge of and familiarity with the issues pertaining to harassment and discrimination in the workplace, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for the investigation of harassment and discrimination complaints.

Legal Protections and External Remedies

Harassment is not only prohibited by the Library District but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Library District, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to harassment, and protects employees, paid or unpaid interns, and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Library District does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that harassment has occurred. Probable cause cases are forwarded to a public hearing before an

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administrative law judge. If harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment or redress the damage caused, including paying of monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

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Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Publication. A copy of this policy will be available upon request and may be posted online and in Library buildings.

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Policy No. 260

SUBJECT: COMMUNITY USE OF LIBRARY FACILITIES

Statement of purpose. The Board of Trustees supports the public use of library buildings and grounds provided that such uses are otherwise legally permitted, do not interfere with Library operations, and do not pose a risk of injury to persons or property.

Rights of use. Library facilities are provided for library purposes. Other uses are permitted in the sole discretion of the Library District.

Hours. Except for a specific event approved by the Director or his/her designee, the public use of Library District grounds and facilities is prohibited outside of designated operating hours. Any unauthorized person found on Library District grounds or in library facilities during prohibited hours shall be subject to civil and criminal penalties.

Usage fees. The Library may charge fees or rents for use of Library space, staff, and equipment. The Director shall develop and maintain, subject to Board approval, schedules of fees and rents that reflect actual or estimated costs to the Library for uses in excess of normal Library operations.

Traffic Plan. The Director or his/her designee shall develop and maintain, subject to Board approval, a traffic plan designating and regulating parking and vehicular use on all Library District property.

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Policy No. 261

SUBJECT: USE OF SERVICE ANIMALS

Generally, The Board of Trustees welcomes the use of service animals on Library District grounds by individuals with disabilities, subject to restrictions permitted by federal and/or state law. Anyone entering Library District facilities with an animal may be asked about the presence of the animal. Staff will work to accommodate reasonable access to all facilities open to the public.

Responsibility. Individuals with service animals will be responsible for the behavior of such animals. Staff shall direct any concerns about animal behavior to a supervisor or the Director. Visibly aggressive animals will not be permitted to enter. If an animal becomes aggressive or destructive after entry, staff shall contact law enforcement or animal control.

Adopted: January 15, 2015

CHEMUNG COUNTY LIBRARY DISTRICT POLICY MANUAL

Policy No. 262

SUBJECT: COMPUTER/INTERNET RESOURCES

Public Access Computers

Library computers and Wi-Fi access are provided to meet the informational, educational, cultural, and recreational needs and interests of all patrons. The Library's computers – equipment and software – must be used as installed. Users are not permitted to add, delete, or modify existing software or hardware. Installation of programs to public PCs is strictly prohibited.

Due to the demand for access to computers, users must follow all procedures developed by the staff to ensure fair and reasonable use of these limited resources. Daily limits may vary from one library to another. If patrons have difficulty in using public computers, Library staff will refer them to sources of help. A more experienced computer user should accompany persons who are not experienced with such technologies.

Children's Computers

There are Internet filters on the computers in the Children's section at the Steele Memorial Library. Computers in the Children's section are designated for patrons under the age of 16. Parents are encouraged to work with and supervise their minor children's Internet sessions. Patrons are cautioned that Internet sites may carry controversial, indecent, or inappropriate information.

Acceptable Use Requirements

In order to make these resources available to as many patrons as possible and to make sure that the equipment is used in a manner consistent with the Library Code of Conduct, the following rules apply:

Library computers and Wi-Fi may not be used for any illegal activity including, but not limited to:

- § Damaging or altering computer equipment, systems, or software.
- § Displaying, printing, or sending any material that is obscene, libelous, threatening, or harassing.
- § Downloading or installing any harmful program (including, but not limited to, spyware, viruses, Trojans, malware, or any illegal utility) on any computer.
- § Violating copyright or trademark laws, software licensing agreements, or intellectual property rights.

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Library users, not the Library, are responsible for the access points they use. Failure to use the Internet stations appropriately and responsibly, as defined in this policy, will result in revocation of Internet use privileges and/or the summoning of law enforcement authorities.

District Presence Online

The Chemung County Library District (CCLD), in order to stay connected to and communicate with the public, will maintain a presence on a number of social media sites. Through these social media sites, CCLD will share Library District news, post information about Library-sponsored events, publish photos from events, and encourage patron feedback.

The Library has a web site: www.cclid.lib.ny.us. The Library's web site acts to organize and facilitate access to electronic information. The Library is responsible only for information on pages pertaining specifically to the Library. The Library is not responsible for the content, accuracy, or availability of any external sites linked to these pages.

Material placed by CCLD staff on any of the District's Internet sites will remain professional. Before posting anything, staff will check facts and correct errors to ensure content and grammatical accuracy. Public comments will be encouraged but monitored for appropriate content. Comments with inappropriate content (e.g., offensive or abusive language, SPAM, and off-topic conversations) will be removed.

Any public concerns should be directed to the Chemung County Library District Director.

Continuing Oversight

Library trustees and staff will continue to evaluate the Library's Internet policies and procedures and make modifications as needed to ensure equitable and safe access for all. The policy is subject to change as necessity dictates.

CHEMUNG COUNTY LIBRARY DISTRICT POLICY MANUAL

Policy No. 290

SUBJECT: LIBRARY PATRON BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.
Amended February 2, 1961, and January 23, 1980,
inclusion of "age" reaffirmed January 23, 1996,
by the ALA Council.

CHEMUNG COUNTY LIBRARY DISTRICT POLICY MANUAL

Policy No. 291

SUBJECT: FREEDOM TO READ

1. The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious

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thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

2. We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process.

Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

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3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

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7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by:

American Library Association
Association of American Publishers

Subsequently Endorsed by:

American Association of University Professors
American Booksellers Foundation for Free Expression
American Society of Journalists and Authors The American Society of Newspaper Editors Anti-Defamation League of B'nai B'rith Association of American University Presses Center for Democracy & Technology
The Children's Book Council
The Electronic Frontier Foundation Feminists for Free Expression Freedom to Read Foundation
International Reading Association The Media Institute
National Coalition Against Censorship

Adopted: January 15, 2015

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National PTA

Parents, Families and Friends of Lesbians and Gays

People for the American Way

Student Press Law Center

The Thomas Jefferson Center for the Protection of Free Expression

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Policy No. 292

SUBJECT: FREEDOM TO VIEW

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the **First Amendment to the Constitution of the United States**. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

Adopted: January 15, 2015