

# **Phoenicia Library Policies and Procedures**

As of October 19, 2020

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**Phoenicia Library Association**  
**Accidents/Incidents Policy and Report Form**

An incident may include, but is not limited to, sexual harassment, problem patrons, or unseemly conduct. An accident may include, but is not limited to medical emergencies such as serious falls, cuts, unconsciousness, seizures, etc. If during an accident or incident there is any doubt whatsoever about the safety of those present 911 should be called.

If an accident or incident to a patron or staff member takes place on library property or off-site during library programs or services, an accident /incident report must be filled out on the same day. The director must be notified immediately.

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Approved by the Board June 21, 2018

File Name: Accident Incident Policy and Report Form

## Accidents/Incidents Report Form

Names of Injured/Involved: \_\_\_\_\_

Date and Time of Accident/Incident: \_\_\_\_\_

Contact Information of Persons Involved: \_\_\_\_\_

\_\_\_\_\_

Description of Accident/Incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

All Staff Members Present: \_\_\_\_\_

Description of Injury or Nature of Disturbance: \_\_\_\_\_

\_\_\_\_\_

Witnesses: \_\_\_\_\_

\_\_\_\_\_

Contact Information of Witnesses: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Person Making Report: \_\_\_\_\_

Date: \_\_\_\_\_

This form must be submitted immediately to the library director.

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Approved by the Board June 21, 2018

File Name: Accident Incident Policy and Report Form

## **Phoenicia Library Association Americans with Disabilities Act Compliance Policy**

The Phoenicia Library Association affirms its support of equal access for persons with disabilities and the Americans with Disabilities Act. The Library seeks to make its services, facilities, and programs as accessible as possible to the public, including those with disabilities. To accommodate those with disabilities, the library has a ramp entrance, fully accessible bathroom, wheelchair on site and elevator to the second floor. The library offers home delivery to residents of the senior citizen housing in Phoenicia and welcomes service animals at our facility.

People who wish to request accommodation or make a complaint about accessibility at the Phoenicia Library have access to a three-step procedure.

Step 1. Requests for accommodation and/or complaints about accessibility may be presented in person, by mail, email, or over the phone to the Library Director, who will then make every attempt to provide accommodation and/or resolve the issue without further recourse to this procedure.

Step 2. If resolution is not achieved by Step One, a complaint can be presented in writing on an Accessibility Concern Form . Assistance in completing this form will be provided as needed. The completed form will be reviewed by the Library Director and a written response made to the concerned individual within ten business days of the date of submission of the form. The Library Director will make every attempt to resolve the issue through this means.

Step 3. If resolution is not achieved by Step Two, the concerned individual can request that the complaint be presented to the Library Board either in person or in writing via the Accessibility Concern Form or letter. The Library Director will place the matter on the agenda at the next regularly scheduled Library Board meeting. The decision of the Library Board is final for the Library. If resolution still is not achieved, the concerned individual may wish to pursue other courses of action as described in the American with Disabilities Act and related regulations.

A copy of the policy will be attached to the Accessibility Concern Form

**Phoenicia Library Association  
Accessibility Concern Form**

The Phoenicia Library seeks to make its services, facilities, and programs as accessible as possible to the public including those with disabilities. If a disability prevents you from fully using our facility or enjoying our services and programs, we would like your ideas on how we can serve you better.

PLEASE DESCRIBE THE NATURE OF THE PROBLEM YOU HAVE ENCOUNTERED:

PLEASE DESCRIBE WHAT YOU THINK WE COULD DO TO PROVIDE BETTER ACCESS:

NAME: \_\_\_\_\_

SIGNATURE \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_ DATE \_\_\_\_\_

Please see the attached policy and procedure to find out how we will address your concern.  
Send completed form to:  
Library Director  
Phoenicia Library Association  
P.O. Box 555  
Phoenicia, NY 12464

## **Phoenicia Library Association ALA Code of Ethics Policy**

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

1. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
2. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
4. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.

6. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
7. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.

We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession. (Adopted at the 1939 Midwinter Meeting by the ALA Council; amended June 30, 1981; June 28, 1995; and January 22, 2008. )

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Approved by the Board: July 2015  
file name:ALA Code of Ethics Policy

**Phoenicia Library Association**  
**Board of Trustees Continuing Education Policy**

The Phoenicia Library encourages a culture of continuing education for its Director, Staff and Board of Trustees in order to provide up to date services to the public and to keep abreast of new trends and technologies in the field.

New Board members are required to attend MHLS Essential Trustee Duties & Responsibilities educational training. Board members are encouraged to revisit the Essentials training once every three years and to attend advanced training when it is offered.

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Adopted November 29, 2018

Filename: Board of Trustees Continuing Education Policy

## **Phoenicia Library Association By-Laws & Mission Statement**

The Mission of the Phoenicia Library Association is to provide and maintain access to a world of enlightening and educational resources in all media. We strive for excellence in all areas of service to our community and recognize our responsibility to encourage a life-long love of learning in our community's children. We wish to provide a welcoming and safe space for all ages as well as guidance in the pursuit of knowledge.

### **Preamble**

The Board of Trustees (hereinafter designated as the ("Board")) of the Phoenicia Library Association, a corporation created under a charter granted under Section 253 of the New York State Education Law by the Board of Regents (or Secretary of State) of the State of New York, dated December 18, 1964, as amended on February 19, 1993, shall be governed by the law of New York State, the regulations of the Commissioner of Education and by the following by-laws.

### **By-Laws**

#### 1. Name Of Organization

- a. The name of the organization shall be the Phoenicia Library Association.

#### 2. Purpose

- a. The purpose of the organization is to provide superior library service to all permanent and temporary residents of the Town of Shandaken.

#### 3. Fiscal

- a. The fiscal year of the library shall be the calendar year.

#### 4. Board Of Trustees

- a. The library shall be governed by a Board of Trustees. The Board shall consist of six (6) members, elected for terms of five (5) years each.
- b. The annual meeting of the Association to elect trustees and to conduct such business as may arise shall be held at the time of the regularly scheduled meeting in July of each year. Newly elected members will take office at the regularly scheduled August board meeting.

- c. Eligibility for trusteeship shall be limited to adults, aged 21 years of age and older, residing or owning property with the geographical limits of the Town of Shandaken.
- d. Pursuant to New York Education Law Section 226, if any trustee shall fail to attend three consecutive meetings without excuse accepted as satisfactory by the trustees, he/she shall be deemed to have resigned.
- e. Any vacancy may be filled by special election by the remaining members of the Board for the remainder of the term of that particular position.
- f. Each Trustee shall have one (1) vote, irrespective of office held.
- g. A Trustee must be present at a meeting to have his/her vote counted.
- h. All actions of the Board shall be of the Board as a unit. No Board member shall act on behalf of the Board, on any matter, without prior approval of the Board. No Board member by virtue of his/her office, shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.
- i. A Trustee may be removed by a vote of a majority of the Board if they follow proper procedure.
  - i. Such removal shall be upon notice and on examination and due proof of the truth of a written complaint by any Trustee alleging misconduct, incapacity or neglect of duty;
  - ii. At least one week's notice of the proposed action must be given to the accused and to each Trustee.

## 5. Officers

- a. The officers of the Board shall be the President, Vice-President, Secretary and Treasurer and such other officers as the Board shall determine, elected annually by the Board at the regular August board meeting. These officers shall serve for a period of one (1) year or until their successors shall have been duly elected.
- b. The duties of such officers shall be as follows:
  - i. The President shall preside at all meetings of the Board, prepare the agenda for board meetings, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board,

serve as an ex-officio voting member of all committees, and generally perform all duties associated with that office.

- ii. The Vice-President, in the event of the absence or disability of the President, or of a vacancy in that office, shall assume and perform the duties and functions of the President.
- iii. The Secretary shall keep a true and accurate record of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office. Minutes of each board meeting must be on hand for public inspection within two (2) weeks of the meeting, even if they have yet to be approved.
- iv. The Treasurer shall supervise the receipts and disbursements of funds of the library, report on the same to the Board at each regularly scheduled Board meeting, and perform such other duties as generally devolve upon the office. In the absence or inability of the Treasurer, his/her duties shall be performed by such other members of the Board as the Board may designate.
- v. Each officer must submit their written reports and any other information necessary for Board discussion to the Library Director in time to be included in the pre-meeting packet.

## 6. Director

- a. The Board shall appoint a Director who shall be the executive officer of the policies of the Board and shall have charge of the administration of the library under the direction and review of the Board. The Director shall be responsible for the care of the buildings and equipment; for the employment and direction of the staff; for the efficiency of the library's service to the public; and for the operation of the library under the financial conditions contained in the annual budget.
- b. The Director shall render and submit to the Board reports and recommendations of such policies and procedures, which, in the opinion of the Director, will improve efficiency and quality of library service.
- c. It shall be the duty of the Director to attend all meetings of the Board, including budget meetings, or public meetings where action may be taken affecting the

interests of the Library. The Director shall have the right to speak on all matters under discussion at Board meetings, but shall not have the right to vote thereon, or attend executive sessions.

- d. The director shall be responsible for sending the pre-meeting packet to board trustees at least one week prior to the Board of Trustee meeting.

## 7. Committees

- a. A nominating committee shall be appointed by the President two months prior to the Annual Meeting who will present a slate of officers and names of candidates for new trustees. Additional nominations may be made from the floor.
- b. The following shall be standing committees: Public Relations, Human Resource, Building, Fundraising, and Finance. These committees shall have all the usual powers associated with such committees.
- c. The President of the Board shall appoint all committee members.
- d. Committees for specific purposes may be appointed by the President. Such committees shall serve until the completion of the work for which they were appointed. Non-board members may be appointed to any committees to bring special capabilities for the resolution of problems confronting the Committee.
- e. All committees shall make a progress report to the Board at each of its meetings. Committee chairs must submit their written reports and any other information necessary for Board discussion to the Library Director in time to be included in the pre-meeting packet.
- f. All committee actions are subject to approval by a majority of the Board.
- g. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.
- h. The President shall be, ex officio, a member of all committees.

## 8. Meetings

- a. Meetings shall be held each month, the date and hour to be set by the Board. A packet should be mailed or e-mailed to each trustee by the Library Director no less than one week before the meeting date. The packet should include: Meeting

agenda; Minutes of the previous meeting; financial reports; Library Director's Report; and any other documents that pertain to the business of the meeting.

- b. A special meeting of the Board may be called at any time by the President or upon the request of three (3) members for a specific purpose. No business may be transacted at such meetings except the stated business. Notice of special meetings shall be given in accordance with law.
- c. The Annual Meeting shall be held in July of each year. The business transacted at this meeting includes the election of new trustees. Any Phoenicia Library Association member 14 years of age and older are eligible to vote in this election. Fifteen (15) members of the Association shall constitute a quorum for the transaction of business at any meeting of the Association. In the absence of a quorum, those board members present may elect trustees to the open seats. Notice of such meetings shall be posted in at least three (3) public places and on the library website at least 14 days before the meeting.
- d. The operating and financial reports for the previous year shall be presented at the regular meeting in January.
- e. The final budget for the subsequent calendar year shall be presented for approval at the regular meeting in December.
- f. A quorum shall consist of four (4) board members. No business may be conducted without a quorum present. If a quorum is not present at a regular meeting, the attending members may set a date for another meeting to be held within one week, and the presiding officer shall notify the absent members of this specially called meeting
- g. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown unless circumstances make an altered order more efficient:
  - i. Roll call of members
  - ii. Disposition of minutes of previous regular meeting and any intervening special meetings
  - iii. Treasurer's report
  - iv. Director's report
  - v. Committee reports

- vi. Old business
- vii. New business
- viii. Period for Public Expression
- ix. Adjournment

#### 9. Amendments

- a. Amendments to these By-Laws may be proposed at any regular meeting and shall be voted upon at the next regular meeting. Written notice of the proposed amendment or amendments shall be sent to all absent members at least ten (10) days prior to the voting session. A simple majority of the Board shall be sufficient for adoption of an amendment.
- b. Any rule or resolution of the Board, whether contained in these By-Laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of the members of the Board shall be present and two-thirds of those present shall so approve.

#### 10. Procedure

- a. All procedures not specified herein shall be accord with Robert's Rules of Order, Revised.

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Adopted by the Board: January 16, 2020

File name: By-Laws and Mission Statement 2018

## **Phoenicia Library Association Computer and Internet Use Policy**

The Library maintains computers for use by the public in order to access information on the internet, compose documents and spreadsheets, and similar uses. To protect its computers and patrons and to attempt to assure fair access to a limited number of computers, the Library requests that all users comply with the following rules.

### Computer Use

Use of the Library's public computers will be available on a first come/first serve basis during all regular operating hours of the Library except the last 30 minutes. Use is limited to one hour per person if other patrons are waiting to use a computer. The Library is not liable if computer or internet use is temporarily unavailable due to power outage, technical difficulties or any other problem. Patrons must sign up on the sheet at or near the circulation desk to use a library computer. Use of a computer signifies agreement to comply with the terms of this policy.

The Library staff will provide instruction and guidance in use of the computers as time and experience permits, but cannot provide tutoring or devote significant time to assisting patrons in use of the computer. Please remember that there are many sources (books, periodicals, CD-Rom databases, etc.) that can provide this instruction more thoroughly right in the library. You may want to review these sources before using the computer or going online, as it could save you valuable time and effort.

Printing and scanning from the computer is available; a fee is requested for printing and scanning.

Users may not install any executable software on library computers. Data may be transferred from a portable drive only. Users may not download materials to the computer's hard drive.

### Internet Use

To fulfill its mission of providing public access to information of all types in a wide range of formats, the Library provides access to Internet resources.

### Choosing and Evaluating Sources

The Internet is a series of communication linkages leading to a highly diverse array of information content. Users access the Internet at their own discretion. The Library does not limit or filter access to materials, or attempt to protect users from materials some individuals may find offensive. In choosing sources to link to its home pages, the Library follows its materials selection guidelines. Beyond this, the Library does not monitor or control information accessible through the Internet and is not responsible for its content, for changes in content or

the sources to which the Library home pages link, or for the content of sources accessed through secondary links.

Users should be aware that the Internet offers access to many valuable local, national, and international sources of information. However, some information found on the Internet may be inaccurate, incomplete, dated, or offensive to some individuals. A good information consumer must evaluate the validity and appropriateness of information found.

#### Restrictions on Internet Use

Users may not use the Library's computers and internet access:

- to send, receive, or display text or graphics that may reasonably be construed by library staff as offensive to the public,
- for harassment or stalking,
- to obtain unauthorized access to computer systems,
- in a manner disruptive of other people's work,
- for any illegal activity, including violation of copyright or other rights of third parties, or in a manner inconsistent with the Library's tax-exempt status or its proper operation, or
- to invade the privacy of others.

Users must:

- Refrain from illegal or unethical use of the Internet and
- Respect intellectual property by only downloading information or computer files with proper permission.

The library expressly disclaims any liability or responsibility arising from access to or use of information obtained through electronic information systems, any activities by a user found to be illegal, and any consequences thereof.

#### Access by Minors

Parents or legal guardians assume responsibility for deciding what library resources, including internet resources, are appropriate for their own children. Parents or legal guardians should guide their children in use of the Internet and inform them about materials they should not use. The Library home page has areas for children and young adults which provide content and links to other websites that parents and legal guardians may find appropriate for their children.

### Public Users Security

Users should be aware that the Internet is not a secure medium and that third parties may be able to obtain information regarding users' activities. However, the Library will not release information on the use of specific Internet resources by members of the public except as required by law or necessary for the proper operation of the Library.

### Violation

Violation of any part of this policy may result in the suspension or loss of the privilege to use computer resources at the Library. Furthermore, anyone who deliberately alters a library computer database, or who deliberately alters, removes, vandalizes, steals, damages or destroys computer equipment or software will forfeit all library privileges and will be subject to financial liability for damages. Any illegal activity involving the use of the Library's computers, including the Internet, will be subject to prosecution by the appropriate authorities.

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Adopted by Board July 2015

File name: Computer and Internet Policy

## **Phoenicia Library Association Confidentiality of Library Records Policy**

The Phoenicia Library Association shall, in compliance with New York State Law, maintain the confidentiality of all library records which contain names or other personally identifying details relating to an individual patron's use of the library and its resources, including, but not limited to, records relating to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records. Such items shall be disclosed only to the extent necessary for the proper operation of the library or upon request or consent of the user or pursuant to subpoena, court order or as otherwise required by statute.

### Procedures for Handling Requests for Library Records

Any subpoena for confidential records shall be referred immediately to the Library Director, and no disclosure shall be made except by the Library Director and only after consultation with the library's legal counsel to verify that the request is being made by a federal agent, law enforcement officer or other duly authorized person presenting proper identification and pursuant to a court order in proper form issued by a court of competent jurisdiction after the required showing of good cause.

Any search warrant presented at the library may be served only upon the Library Director, and upon such service a search of the Library's records may begin immediately. The Library Director shall, however, ask to have the Library's legal counsel present before the search begins in order to allow counsel an opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant. Only the records identified in the warrant shall be produced and the Library Director or its counsel shall endeavor to ensure that no other users' records are viewed or scanned.

If an agent for the Federal Bureau of Investigation presents an order and informs you that the order is issued as part of a terrorism or espionage investigation and is subject to a "nondisclosure order" or "gag order" (Orders issued under the [USA PATRIOT Act](#)): The Director shall:

- Call the library's legal counsel and ask for assistance.
- Read the order and any attached documentation. If it provides a period of time to respond to the order, respond to the order in the same manner as a subpoena. Except

for legal counsel, do not inform other library staff or any other person about the order until authorized to do so by the library's legal counsel.

- If the order requires the immediate surrender of records or other items, respond to the order in the same manner as a search warrant. Ask the agent if he or she will delay the search until the library's legal counsel arrives.
- If required to turn over records or other items at once, do not notify any library staff except for legal counsel and those staff members necessary for the production of the requested records or other items. (For example, it may be necessary to ask a member of the Information Technology staff to assist with the production of electronic or computer records.) Instruct all staff members who assist in responding to the order that, with the exception of legal counsel, he or she cannot inform other library staff or any other person about the order unless authorized to do so by the library's legal counsel.
- If a library worker or volunteer is required to respond to an order issued under the [USA PATRIOT Act](#) in the absence of the Library Director or a designated alternate, they should inform the Library Director as the custodian of records. It is not unlawful for library staff or volunteers to refer the agent to the Library Director or her designated alternate; however, except for legal counsel, the staff member or volunteer should not inform anyone else about the order unless authorized to do so by the library's legal counsel.

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Adopted by Board: July 2015

File name: Confidentiality of Library Records Policy

## **Phoenicia Library Association Conflict of Interest Policy**

### Article I --Purpose

1. The purpose of this conflict of interest policy is to protect the Phoenicia Library's interests when it is contemplating entering into a transaction or arrangement that might benefit the private interests of a covered person or might result in a possible excess benefit transaction.
2. This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

### Article II --Definitions

1. Covered Person: any member of the Phoenicia Library Board of Trustees and all Phoenicia Library employees.
2. Interested person; any member of the Phoenicia Library Board of Trustees and all Phoenicia Library employees who have a direct or indirect financial interest, as defined in Article II, Section 3.
3. Financial interest: a covered person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
  - a. An ownership or investment interest in any entity with which the Phoenicia Library has a transaction or arrangement;
  - b. A compensation arrangement with the Phoenicia Library or with any entity or individual with which the Phoenicia Library has a transaction or arrangement;
  - c. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial;
  - d. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Phoenicia Library is negotiating a transaction or arrangement.

### Article III --Procedures

1. **Duty to Disclose:** In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Phoenicia Library Board of Trustees.
2. **Recusal of Self:** Any covered person may recuse at any time from involvement in any decision or discussion in which the covered person believes he or she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.
3. **Determining Whether a Conflict of Interest Exists:** After disclosure of the financial interest and all material facts, and after any discussion with the Phoenicia Library Board of Trustees, the covered person shall leave the Board or Executive Committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or Executive Committee members shall decide if a conflict of interest exists.
4. **Procedures for Addressing the Conflict of Interest**
  - a. An interested person may make a presentation at a Phoenicia Library Board of Trustees meeting, but after the presentation, the interested person shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
  - b. The Phoenicia Library President shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
  - c. After exercising due diligence, the Phoenicia Library Board of Trustees or Executive Committee shall determine whether the said Board can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
  - d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Phoenicia Library Board of Trustees or Executive Committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Phoenicia Library's best interest, for its own benefit, and whether it is fair and reasonable. Pursuant to that determination, the party seeking the determination shall be free to enter into the proposed arrangement or transaction.
5. **Violations of the Conflicts of Interest Policy**

- a. If the Phoenicia Library Board of Trustees has reasonable cause to believe a covered person has failed to disclose actual or possible conflicts of interest, it shall inform the covered person of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, if the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Article IV – Records of Proceedings** The minutes of the Board and all committees with board delegated powers shall contain (a) the names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest; (b) the nature of the financial interest; (c) any action taken to determine whether a conflict of interest was present; (d) the Board's or Executive Committee's decision as to whether a conflict of interest in fact existed; (e) the names of the persons who were present for discussions and votes relating to the transaction or arrangement; (f) the content of the discussion, including any alternatives to the proposed transaction or arrangement; and (g) a record of any votes taken in connection with the proceedings.

**Article V – Compensation** A covered or interested person who receives compensation, directly or indirectly, from the Phoenicia Library Board is precluded from voting on matters pertaining to the compensation.

**Article VI – Annual Statements** Each covered person shall annually sign a statement which affirms they have received a copy of this policy, has read and understands this policy, and if at any time during the year the information in the annual statement changes materially, the covered person shall disclose such changes and revise the annual disclosure form.

Phoenicia Library Board member/employee/volunteer

signature \_\_\_\_\_ date \_\_\_\_\_

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Approved by Board July 2015  
File name: Conflict of Interest Policy

## **Phoenicia Library Association Credit Account and Debit Card Policy**

A bank debit card in the name of the Phoenicia Library Association has been issued to the Library Director and store credit accounts are available at several local stores, including Amazon, Barnes & Noble, Golden Notebook, Phoenicia Pharmacy, and Staples.

The Limitations on Expenditures set forth in the Financial and Internal Controls Policy shall apply to all uses of the debit card and all store credit accounts. The debit card and the store credit accounts must be used only for the purchase of items for the Library.

The Director shall notify the bookkeeper prior to use of the debit card for any amount over \$500 in any one week, so that adequate funds for the debit card shall always be in place.

Although the debit card and the credit accounts shall primarily be used by the Library Director, she may delegate the authority to use the debit card or any store credit account for specific purposes to any Trustee, and may delegate the authority to use a store credit account for specific purposes to a staff member.

The Director and any other user of the debit card must agree to and sign the Debit Card Responsibility and Use Procedures set forth on the attached prior to initial receipt of the debit card.

Proper documentation to support the expenditure must be sent to the bookkeeper promptly after any use of the debit card and together with any statement of amounts due from a store credit account. Proper documentation includes:

1. Original itemized paid receipt indicating the amount paid, the vendor, and the description of the purchase, or
2. A copy of the order form or similar document, and packing slip or other receiving document, or
3. A hardcopy print-out of the items ordered on-line.

Non-itemized cash register receipts or handwritten (by the requestor) requests for reimbursement without receipts or other verification are not acceptable.

Amounts paid for sales tax will not be reimbursed. A sales tax exemption certificate is available in the Library's office.

Adopted by the Board July 2015  
File name: Credit Account and Debit Card Policy

## **Phoenicia Library Association Environmental Policy**

Phoenicia Library is committed to reducing our environmental footprint and promoting environmental stewardship at all levels of our organization. Our goal is to minimize our organization's impact and maximize future generations' ability to live, work, and play in our shared natural environment, with equal access to clean air, clean water, and natural resources.

Through community programs and internal library procedures, we will strive to minimize pollution and waste, conserve energy and water, protect habitat, support renewable energy resources, and buy environmentally friendly products.

These efforts will extend to contractor and supplier relationships. We will encourage contractors and suppliers serving or otherwise acting on behalf of the library to meet our standards of environmental performance.

Employee understanding and involvement are essential to the implementation of this environmental policy. All employees will receive a copy of this policy and be educated about the library's efforts to improve our environmental performance. Employees at all levels of the library will be involved in supporting our goals.

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Adopted by the Board July 18, 2019

File name: Environmental Policy

## **Phoenicia Library Association Equal Opportunity Policy**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Phoenicia Library will be based on merit, qualifications and abilities. The library does not discriminate in employment opportunities or practice on the basis of race, color, creed, sex, national origin, age, disability, sexual orientation, military or veteran status, citizen status, ethnicity, marital status or any other characteristic protected by the Federal Equal Employment Opportunity and NYS Human Rights Laws. The library will continue its effort to ensure that minorities and women are afforded equal employment opportunities.

The library will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship.

Employees with questions about any type of discrimination in the workplace are encouraged to bring their concerns to the director or the president of the board. Employees may raise concerns without fear of reprisal.

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Adopted by Board: July 2015  
File name: Equal Opportunity Policy

**Phoenicia Library Association**  
**Free Access to Libraries for Minors Policy**  
**An Interpretation of the Library Bill of Rights**

Library policies and procedures that effectively deny minors equal and equitable access to all library resources available to other users violate the [Library Bill of Rights](#). The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the *Library Bill of Rights* states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The "right to use a library" includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

Libraries are charged with the mission of developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of library resources. The needs and interests of each library user, and resources appropriate to meet those needs and interests, must be determined on an individual basis. Librarians cannot predict what resources will best fulfill the needs and interests of any individual user based on a single criterion such as chronological age, educational level, literacy skills, or legal emancipation.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Children and young adults unquestionably possess [First Amendment](#) rights, including the right to receive information in the library. Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.<sup>1</sup> Librarians and library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether material is not constitutionally protected.

The mission, goals, and objectives of libraries cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents. As "[Libraries: An American Value](#)" states, "We affirm the responsibility and the right of all parents and

guardians to guide their own children's use of the library and its resources and services." Librarians and governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

<sup>1</sup>See [Erznoznik v. City of Jacksonville](#), 422 U.S. 205 (1975)-"Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable [422 U.S. 205, 214] for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors. See [Tinker v. Des Moines School Dist.](#), *supra*. Cf. [West Virginia Bd. of Ed. v. Barnette](#), 319 U.S. 624 (1943)."

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Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991, June 30, 2004.

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Adopted by Board: July 2015

File name: Free Access to Libraries for Minors Policy

## **Phoenicia Library Association**

### **The Freedom to Read Policy**

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 counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals 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 individual, by exercising critical judgment, will select the good and reject the bad. 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 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 or unwelcome scrutiny by government officials.

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 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.

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, unpopular, or considered dangerous by 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.

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 the prejudgment of a label characterizing any expression 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 others. 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; and by the government whenever it seeks to reduce or deny public access to public information.

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. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

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 Americans 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, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

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Adopted by Board: July 2015

File name: Freedom to Read Policy

## Phoenicia Library Association Freedom to View Policy

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.

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Adopted by Board: July 2015  
File name: Freedom to View Policy

## **Phoenicia Library Association Gift Policy**

**Gifts of library materials** (books, audio recordings, videos, etc) will be accepted with the understanding that the library reserves the right to add them to its collection, distribute them to other libraries, sell them, or discard them. Gift materials will be added to the collection in accordance with the Materials Selection Policy of the library.

**Monetary gifts, bequests, and memorial or honorary contributions** are welcome. If donated funds are used to purchase library materials, then these items will be chosen in accordance with the Materials Selection Policy of the Library.

Restricted donations must be in accord with the mission of the library and be approved by the Board if over \$1000. Restricted donations, such as for a specific program will be put into the general operating budget and spent according to restrictions. A separate account for a restricted fund will be set up only if:

1. The initial account balance is more than \$1000
2. The overall carry-over balance remains above \$1000
3. If the carry-over balance at the end of year averages lower than \$1000 for a two-year period, the separate account will be closed and put into the general fund.
4. Donor will be encouraged to donate to the operating fund, and a separate line item will be considered for the fund. All remaining funds at the end of the year will return to the general fund. This balance can be put into the line item at the start of the year at the behest of the board.

Interest Policy: Interest from restricted donation accounts will be distributed at year-end back into each account based on the year-end balance.

**Gifts of personal property, art objects, antiques, and other collectibles** will be accepted with the understanding that they may be displayed, sold, given away, or discarded at the discretion of the Library Board.

The library keeps no record of the final disposition of these gifts, nor will the Library appraise any of these gifts.

Gift items will be formally acknowledged if the donor wishes.

Approved by the Board: July 2015  
File name: Gifts Policy

**Phoenicia Library Association  
Inclement Weather Policy**

The Library will close or open during inclement weather at the discretion of the Library Director.

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Adopted by Board November 29, 2018

File Name: Inclement Weather Policy

## **Phoenicia Library Association Library Bill of Rights Policy**

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

1. 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.
2. 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.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. 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, by the ALA Council; amended February 2, 1961; amended June 28, 1967; amended January 23, 1980; inclusion of "age" reaffirmed January 24, 1996.

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Adopted by Board July 2015  
File name: Library Bill of Rights Policy

## **Phoenicia Library Association Materials Collection Policy**

1. The Director of the library shall be responsible for selection of books and other library materials. However, it is acknowledged that (a) some materials (electronic databases, downloadable audio, etc) are made available through group purchases and/or group decisions made by the MHLS staff, the MHLS Directors Association, or the Ulster County Library Association, and the Director will not have complete control over the selection of those materials; and (b) the materials in the Jerry Bartlett Memorial Fishing Collection, though housed in the Phoenicia Library, are managed by the directors of that collection.
2. Materials shall be acquired in a wide range of materials in a variety of formats according to their suitability for public library use and their cost effectiveness, and shall include materials for individuals of varying ages, educational levels and interest. Each type of material is considered in terms of its own merit and its intended audience. Materials are selected to satisfy the informational, recreational, or educational interests of the community while some others are selected on the basis of artistic merit, scholarship, or permanent value.
3. Since the size of the Library's collection is limited by the physical size of the library, the Director should select the most appropriate materials, taking into consideration the nature and special characteristics of the local community.
4. Sources for materials selections should include reviews in professionally recognized periodicals as well as standard bibliographies, book lists by recognized authorities, including lists based on demand as well as perceived value, and the advice of competent people in specific subject areas. Suggestions from patrons are welcome and will be considered using the same criteria as all other selections.
5. The Library will maintain a current and vital collection by (a) acquiring new materials as appropriate, through purchase or donation, (b) retaining or replacing essential materials and (c) removing, on a systematic and continuous basis, materials that are worn, damaged, outdated, or no longer in demand. The Director may accept or reject library materials donated for the purpose of inclusion in the library collection, using the same standards as would apply to a purchase.
6. The Phoenicia Library Association endeavors to build a collection representing varying points of view. The choice of library materials by users is an individual matter. Responsibility for the reading materials of children and adolescents rests with their parents or legal guardians. While patrons may choose to reject materials for themselves or their children, they cannot censor or

restrict others' access to any materials. The library supports intellectual freedom and has adopted as policy the ALA Freedom to Read Statement, ALA Library Bill of Rights, and the "Freedom to View" statement of the American Film and Video Association.

7. The Jerry Bartlett Memorial Angling Collection is a special collection of materials of enduring cultural value and is unique to the Mid Hudson System. Accordingly, different criteria for collection and weeding exists to ensure these items are available to patrons now and in the future. Every effort should be made to keep the collection intact, regardless of circulation trends.

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Adopted by Board July 2015

File name: Materials Collection Policy

## **Phoenicia Library Association Meeting Room Policy and Application**

### **Who May Use the Meeting Room**

Use of meeting rooms in the Phoenicia Library is primarily for programs conducted or sponsored by the Library, and only secondarily for programs of institutions, groups, and associations with educational, cultural, or civic purposes. The fact that a group is permitted to use a meeting room does not in any way constitute an endorsement of the group's policies or beliefs by the Library.

Meeting rooms shall not be used for private, for-profit, entrepreneurial or commercial purposes. However, a professional practitioner may use a library meeting room free of charge to provide an education program open to the general public related to his or her field of expertise. In such a case, an education opportunity offered by an expert provides benefit to the public.

The Library does not wish to compete with businesses in town.

Paid one-on-one tutoring is allowed as long as it does not disrupt library operations or the patron code of conduct. The Director reserves the right to limit usage of space for ongoing tutoring.

Political meetings are acceptable for the discussion of issues but not for campaign purposes, party caucuses, or meetings closed to the public.

Religious topics and discussions are allowed. Religious services and proselytizing is not allowed.

The Library reserves the right to refuse meeting room space to patrons with an outstanding library bill.

### **Fees**

It is preferred that all meetings and events be free. The only exception to the rule of no-fee programming is when the program offers something unique and of exceptional value to the community at a reasonable fee as determined by the Director. A program or event with a fee must offer at least one slot on a sliding fee scale. Details will be decided by the Director.

All children's programs and children's events must be free of charge to ensure that all families have equal opportunity to participate.

### **Rates for use of the meeting room;**

**-\$0 while library is open, \$20 / hr after hours.**

“Materials fees” may be requested. Performers may request “suggested donations.” Amount requested should not be prohibitive. Performer will receive 100% of these donations-

Authors giving readings at the Phoenicia Library may sell their books.

Please be aware the ability to staff after hours is limited, and subject to change. If a staff member is ill or absent the library will make every attempt to find coverage.

### **Application for Meeting Room Use**

Written application for the use of any meeting room must be made to the Library Director on a form supplied by the Library. Submission of application does not constitute approval. The applicant will be contacted by the Library Director or his / her agent if use of the room is approved. The Director shall have the right to turn down an application for a meeting or event that does not comply with the terms of this policy. Reconfirmation of the meeting must be made by the applicant at least one week prior to the meeting. It's the applicant's responsibility to notify the Director in advance as well as the participants upon any cancellation. A request for a change of date is subject to the approval of the Director and may be turned down if the requested date has already been reserved.

Programs that are planned by the Library take precedence over meetings of outside groups. The Library reserves the right to pre-empt the use of meeting space for library purposes upon two (2) weeks' notice to the organization which had requested that space.

As long as meetings do not conflict with one another, there is no objection to regular meetings of the same group, provided, staffing is available. However, in fairness to the numerous groups of the community, reservations are taken not more than three (3) months in advance. The library may need to limit the number of events in any given month in order to maintain the smooth functioning of the library.

An adult age 18 or older must sign the Library Meeting Room Application and be in attendance when the meeting room is in use. The person shall be responsible for the conduct of their group, payment of bills and protection of library property during the course of their meeting. Patrons aged 13-17 may apply with a sponsoring adult who accepts responsibility for conduct, payment of bills and protection of library property during the course of their meeting.

Proof of Liability Insurance, must be submitted in advance with application and fee by the person reserving the room. If there is no liability insurance, library may allow applicant to sign paperwork becoming a legal volunteer and therefore covered by the library's insurance.

The applicant accepts liability for any damage to library facilities and damage or loss to library property arising out of the applicant's use of the meeting room. If library property is either damaged or lost, the Library Director shall obtain estimates for the repair of the damage or the cost of the replacement of the lost property. The individual or group will be responsible to pay that amount to the Library.

### **General Rules of Use**

- Groups may not enter the Library before the official opening hour, not even to set up for their program. Groups are required to end meetings and vacate the room 30 minutes before closing time to give staff time to secure the building for closing.
- Evening meetings may go no later than 10:00 pm.
- A staff member, or a library Board Trustee, or a volunteer proxy approved by the Board must be present, in the building at all times.
- Except as a designation of location, the name of the Library may not be used in any publicity relating to the use being made of its meeting rooms. Any publicity, including brochures, flyers, radio and TV announcements, newspaper ads, etc., must carry the name and telephone number of the individual or organization sponsoring the meeting. Neither the name nor the address of the Library may be used as the official address or headquarters of an organization. The Library cannot be listed as the sponsoring organization for public relations purposes, but only as the "location site." The library telephone number may not appear on the publicity.
- Individuals or groups using the meeting room shall secure any necessary performance licenses and indemnify the Library for any failure on their part to do so. Outside groups are welcome to show movies for which the library is licensed.
- Attendance at authorized meetings may not exceed the maximum legal room capacity. The Phoenicia Library Cahill Meeting Room capacity is 25.
- Groups of children or teenagers must be supervised by one adult for every ten children /teens.
- No cooking may be done in the library. Light refreshments may be served.
- Under limited circumstances alcohol may be served with the permission of the Director and with verification that all insurance requirements for alcohol consumption are met.

- Smoking is not permitted. Burning of any materials, including incense and candles, is prohibited.
- Parents of children **12** years and younger must attend any meeting, program, or event at which their child is present and, must remain in the Library building for the duration of the meeting or program and retrieve their child immediately at the conclusion of the event. If a parent of a child aged 12 or under wishes to leave the building, it is their responsibility to request another adult be responsible in their absence, and notify the library staff. This provision also applies to any adult who may bring the children of friends or relatives, etc. to a meeting, program or event. Parents of children aged 7 and under must remain in the same room as the child
- Meeting rooms must be left in a neat, clean and orderly condition, with all furniture returned to the positions in which they were found.
- Meetings must be conducted in such a way as not to disturb library operations or patrons.
- Use of audio-visual equipment must be arranged at time of reservation.
- Library personnel will not move or rearrange furniture or equipment.
- The Library will not provide storage space and assumes no responsibility for equipment or personal articles belonging to groups using the meeting rooms or individuals attending an event or meeting.
- The Library reserves the right to close due to adverse weather conditions and will attempt to contact the applicant.
- Library personnel must have free access to meeting rooms at all times. The Library retains the right to monitor all meetings conducted on the premises to ensure compliance with the above regulations.
- Violation of any of the provisions of this Policy shall be grounds for denial of future use of meeting space

## PHOENICIA LIBRARY MEETING ROOM APPLICATION

Organization name \_\_\_\_\_

Mailing address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

Contact person \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Alternative contact \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Meeting topic \_\_\_\_\_

Expected number of attendees \_\_\_\_\_ A/V needs \_\_\_\_\_

Single use: Meeting date \_\_\_\_\_

Start time\* \_\_\_\_\_ End time\* \_\_\_\_\_

*\* Meetings may be scheduled during the library's open hours only. Meetings must adjourn at least 30 minutes before the library's scheduled closing time.*

Do you have liability insurance? Yes \_\_\_\_\_ No \_\_\_\_\_

As an authorized adult representative of the above organization, I hereby apply for the use of the meeting room as indicated above. I have read the policies and rules governing the use of the meeting room facilities and agree that they will be carefully observed. If a meeting is cancelled, I agree to notify the library as far in advance as possible.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**Please note:** Meeting room reservations are not confirmed until this completed form has been reviewed and approved by Library Director.

**Appeal process:** Groups or individuals who are denied use of a library meeting room may appeal in writing to the Board of Trustees.

*Mailing address: Phoenicia Library, 48 Main Street, Phoenicia, NY 12464*

*E-mail address: director@phoenicialibrary.org*

FOR LIBRARY USE ONLY

\_\_\_\_\_ Application approved

\_\_\_\_\_ Application denied

Reason for denial:

Signed \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_

## **Phoenicia Library Association Nepotism Policy**

It is the policy of the Library to seek the most qualified individuals for all positions. However, the Library believes that the employment of relatives of employees or Board members is not in the best interests of sound administrative management. Therefore, Board members, their immediate family members (as defined below), and the immediate family members of existing employees shall not be eligible for hiring by the Phoenicia Library Association, whether as employees or contractors.

Immediate family includes spouses, life partners, and individuals who are not legally related but who reside with another employee or a Board member in a familial relationship; and parents, children, siblings, grandparents and grandchildren, including those related by blood, step relationships or in-law relationships. Exceptions may be made by the Director in the case of contractors with specialized skills or knowledge providing necessary services not otherwise readily available.

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Adopted by Board July 2015

Filename: Nepotism Policy

## **Phoenicia Library Operations Continuity and Disaster Plan**

The purpose of the Operations Continuity and Disaster Plan is to create action guidelines and systems of prevention and recovery to deal with potential threats to the Library.

### **Planning and Prevention**

1. Keep the Operations Continuity Plan available in appropriate locations, including an outside location such as the home of the Library Director and/or President of Board of Trustees. The Operations Continuity Contact List will be available on all library bulletin Boards, in the homes of each employee, and Board members.
2. The staff and director need to be aware of its location and contents.
3. The Library Director will review and update the Operations Continuity Contact list as needed.
4. Maintain fire alarms, fire extinguishers, and smoke detectors.
5. Keep access to exits, fire equipment, electrical panels and plumbing valves clear.
6. Store valuable records/materials in the most fire/waterproof area available.
7. Library Director will back up all data daily to the cloud and to an external hard drive.
8. Maintain a disaster kit and update the emergency supply inventory twice a year. It should include:
  - First Aid kit
  - Rubber/latex gloves
  - Battery-powered radio
  - Flashlights
  - Extra batteries
  - Tape
  - Scissors
  - Blanket, zip-loc bags, snacks, water

## **Advice for Specific Conditions**

The building should be evacuated whenever remaining in the building becomes dangerous or upon the request of government authorities. Staff will clear the building, checking the bathroom, and leave the building. Close the doors and windows if it can be done safely. Prepare for power outage. Turn off computers. Do not use the elevator in any situation that threatens a power outage.

**Severe Thunderstorms** – Close all exterior doors and windows. Stay inside away from windows.

**Tornadoes** – If there is a tornado warning and definite indication of an oncoming tornado, encourage patrons and staff to stay in the building. Take refuge in an interior room away from windows.

**Floods** – Listen to flood warnings and excuse staff if there is a danger of closed roads. Shut off the water valve or the electric to the pump. Call the Library Director and Board President.

**Hurricanes** – Any time that a hurricane is predicted, excuse staff in a timely manner. If staff gets stuck, do not leave the building. Use contents of the disaster kit and prepare for a power outage.

**Fire** – The Library has a fire and smoke detection alarm. If the alarm sounds, a staff member will call 911 and quickly search the building for smoke or fire. Staff will wait outside for the Fire Department to arrive. Call the Library Director. When and if the Fire Department says the condition is all clear, the staff will return to the building.

**Health Emergencies\*** – If anyone's health is in question, call 911 for evaluation. Staff members should exercise caution when administering first aid of even a minor nature because of the safety of the injured individual and the potential liability of the staff member. Without specialized training it is not advisable for staff to undertake more than keeping the sick or injured patron comfortable and protected from needless disturbance until medical help can be obtained. Since each case is unique, staff members should use their own judgment to do what is prudent and reasonable. No medication, including aspirin, should ever be dispensed to the public. Call the Library Director. If person is a minor, call parent/guardian. Fill out an accident report.

\*An emergency such as an accident or incident may affect individuals, but not threaten the operation of the library. These situations are covered under the Library Accident and Incident Policy and Report Form.

**Pandemic** - In the case that the Town Board of Shandaken declares that a pandemic is occurring in Shandaken, the Library Director will be the Library's pandemic coordinator. Should there be a

restriction on mass gathering declared by the Town, the Library will close. All employees will continue to be paid during the pandemic alert. The staff and library board will communicate by email if possible.

**Bomb Threats** – If the bomb threat is by phone, remain calm and keep the caller on the line as long as possible. Pass a note to another employee to call 911 and evacuate the building. Do not hang up even if the caller does. Ask the caller to repeat the message and try to write down every word spoken by the person. If the caller does not indicate the location of the bomb or the time of possible detonation ask for this information. Pay particular attention to peculiar background noises such as motors running, background music and any other sounds that may indicate the location from which the call is originating. Listen closely to the voice (male/female), voice quality (calm, excited), accents and speech impediments. The Police will handle the actual bomb search. If the bomb threat is delivered in person: evacuate the building. Call 911.

### **Discovery of a Biohazard**

Leave the suspicious substance where it was found. Do not take any action that might spread it to another area. Evacuate the building. Call 911.

### **Active Shooter**

**EVACUATE – Run:** If there is an accessible escape path, attempt to evacuate the premises. Be sure to:

- Have an escape route and plan in mind.
- Help patrons and staff evacuate, if possible but evacuate regardless of whether others agree to follow.
- Call 911 when you are safe.

**SHELTER-IN-PLACE – Hide:** If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should:

- Provide protection if shots are fired in your direction (i.e. an office with a closed and locked door).
- Not trap you or restrict your options for movement.
- To prevent an active shooter from entering your hiding place:
  - a. Lock the door.

- b. Blockade the door with heavy furniture.
- If the active shooter is nearby:
  - a. Lock the door.
  - b. Silence your cell phone
  - c. Hide behind large items (i.e. cabinets, desks).
- **PROTECT YOURSELF – Fight:** As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:
  - a. Acting as aggressively as possible against him/her.
  - b. Throwing items and improvising weapons.
  - c. Yelling.

### **Oversight and Management**

The Library Director is responsible for reporting an emergency to the appropriate authorities (calling 911). In the event the library director is not present, a staff member should contact appropriate authorities and notify the library director and president of board of trustees. If an emergency occurs when the library is closed, the Library Director and Board President are responsible for overseeing the management of the situation.

#### Phone Numbers

Director: Liz Potter	home: 845-688-2078; cell 514-8721
Board President	Bernard Handzel home 688-2893; cell 845-901-0739
Town Clerk	688-5004
Town Supervisor	688-7165
Police	911 or 688-9902
Fire	911 or 688-7315
Ambulance	911 or 688-7315
Insurance Company	585-670-9127

Attachment: Library Operations Continuity and Disaster Contact List

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Adopted by Board December 20, 2018

File name: Operations Continuity and Disaster Plan

## **Phoenicia Library Association Patron Code of Conduct**

1. Phoenicia library strives to honor its position as a community center and recognizes and respects the community it serves. This policy was established in order to protect the rights of patrons and staff, to preserve and protect library materials and facilities, and to maintain a safe and pleasant space for all.
2. No patron shall act or present him/herself in a disruptive, rude, destructive, belligerent or other manner which interferes with the ability of other patrons to enjoy the full use of the library or the ability of the staff to perform their work (collectively, “unacceptable behavior”). The senior staff member present shall have the right to decide what unacceptable behavior is.
3. Any person engaging in unacceptable behavior may be requested by any staff member to cease such behavior, and warned that he/she may be asked to leave the premises if the behavior continues. If the staff member considers the person’s behavior so unacceptable that immediate ejection is appropriate, the staff member shall have the right to ask such person to leave without an initial warning. Those who are unwilling to leave or do not leave within a reasonable amount of time after being instructed to do so by a staff member, will be subject to legal prosecution.
4. Any deliberate damage or theft of library property will result in a ban from the Phoenicia Library for a period of time to be determined by the Director, which may include a lifetime ban. In addition, legal prosecution may be pursued against anyone found to have engaged in deliberate destruction of Library property.
5. Phoenicia is a non-shushing library, though patrons shall conduct themselves and their conversations in a manner that does not disturb other patrons or Library staff. This includes the use of mobile telephones and audio devices/equipment. Patrons shall not use obscene or threatening language and gestures.
6. Patrons shall not be visibly inebriated, or engage in running, pushing, or fighting, lewd behavior, harassment, behavior likely to cause damage to Library property or other disruptive conduct.
7. Use or exchange of tobacco, alcohol or illegal substances is prohibited. Pursuant to New York State Public Health Law Section 1399-0, smoking is prohibited in libraries. Further, we ask that no one smoke in or immediately adjacent to the doorway to the library, as a matter of respect to fellow library community. Patrons shall wear shoes and shirts (or their equivalent).

8. As a general rule, children under the age of 12 must be accompanied by an adult while at the library in accordance with our Unattended Children Policy.

9. Phoenicia library is a dog-friendly location, provided the dog is library-friendly. Dogs must be leashed and its attendant assumes FULL responsibility. Staff may ask a patron with a dog to leave for any reason they see fit and consistent with the safety or comfort of others.

10. Library staff will make all reasonable efforts to enforce this code for the comfort and safety of its patrons. However, the Library is not responsible for any damage to a patron or his or her property caused by any other patron in violation of this code or otherwise.

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Adopted by Board November 29, 2018

File Name: Patron Code of Conduct

## **Phoenicia Library Association Posting Materials Policy**

The library maintains enclosed bulletin boards along the entrance ramp to provide organizations an opportunity to publicize community events of a civic, cultural, educational or recreational nature. Due to limited display space, priority will be given to library programming, events and displays. Other notices of events can be left at circulation desk and will be posted as space allows.

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Adopted by Board July 2015

Filename: Posting Materials Policy

## **Phoenicia Library Association Public Relations Policy**

Public relations goals of the Phoenicia Library are:

- to promote a good understanding of the Library's objectives and services among governing officials, civic leaders, and the general public; and
- to promote active participation in the varied services offered by the library to people of all ages.

The Board recognizes that public relations involve every person who has connection with the Library. The Board urges its own members and every staff member to realize that he or she represents the Library in every public contact. Good service supports good public relations.

The Library Director will be expected to prepare and make presentations to promote library services as the Director or Board sees fit.

The Board may establish a publications budget to cover costs related to printing, publication, supplies, and miscellaneous needs related to the public relations effort.

The Board President is the only one authorized to speak to the press regarding library matters. The Board President may designate another representative.

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Adopted by the Board: July 2015  
File name: Public Relations Policy

## **Phoenicia Library Retention and Disposition of Records Policy**

The records of the Phoenicia Library will be retained and disposed of in accordance with the schedules published in *Records Retention and Disposition Schedule MU-1* by the University of the State of New York and The State Education Department and the *Records Retention Schedule of the National Council of Nonprofit Associations*.

The Library Director shall serve as the Records Management Officer for the Library in order to insure compliance with the *Records Retention and Disposition Schedule MU-1* and the *National Council of Nonprofit Associations Record Retention Schedule*.

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Adopted by Board: July 2015

File name: Retention and Disposition Policy

**Phoenicia Library Association**  
**Revision of Library Policies Policy**

Any of the Phoenicia Library policies may be revised and, or amended at any time by the Library Board. Furthermore, the Phoenicia Library Board shall appoint a committee every five years to perform a policy audit.

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Adopted by Board July 2015

Filename: Revision of Library Policies Policy

# Phoenicia Library Association

## Sexual Harassment Policies

### Introduction

Phoenicia Library is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Phoenicia Library's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup> and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Phoenicia Library. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

### Policy:

1. Phoenicia Library's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Phoenicia Library. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Phoenicia Library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Phoenicia Library who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working

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<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

<sup>2</sup> 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.

in the workplace who believe they have been subject to such retaliation should inform the Library Director, or if the director is part of the complaint, go directly to the President of

1. Board of Trustees.. 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.
2. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Phoenicia Library to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
3. Phoenicia Library will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Phoenicia Library will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
4. All employees are encouraged to report any harassment or behaviors that violate this policy. Phoenicia Library will provide all employees a complaint form for employees to report harassment and file complaints.
5. The library director is **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the President of Board of Trustees.
6. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. 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.

### **What Is “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:

- 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:
  - a. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - b. Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:

- a. 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;
  - b. Subtle or obvious pressure for unwelcome sexual activities.
- 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:
  - a. 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:
  - a. Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - b. Sabotaging an individual's work;
  - c. Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual 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. 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 sexual harassment occur?**

Unlawful sexual 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 sexual 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.

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.

## **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone’s responsibility.** Phoenicia Library cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to the library director, or if the director is part of the

report, to the President of Board of Trustees. . Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to the library director.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual 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 sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

The library director who receives a complaint or information about suspected sexual harassment, observes what may be sexually harassing behavior or for any reason suspects that sexual harassment is occurring, **is required** to report such suspected sexual harassment to the President of Board of Trustees. .

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

The library director will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

**All** complaints or information about sexual 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 sexual 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.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Phoenicia Library 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 Library Director 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. A list of all documents reviewed, along with a detailed summary of relevant documents;
  - b. A list of names of those interviewed, along with a detailed summary of their statements;
  - c. A timeline of events;
  - d. A summary of prior relevant incidents, reported or unreported; and
  - e. 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.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

## **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by Phoenicia Library but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Phoenicia Library, 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 sexual 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 sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Phoenicia Library does not extend your time to file with DHR or in court. The one year or three years is counted from 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 sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual 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](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://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](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto: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 sexual 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 sexual 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](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **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.

**Sexual Harassment Complaint Form**

Name of Person Making Complaint:

\_\_\_\_\_

Date and Time of Incident: \_\_\_\_\_

Name of Alleged Harasser: \_\_\_\_\_

Contact Information of Persons Involved: \_\_\_\_\_

\_\_\_\_\_

Description of Incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

All Staff Members Present in Building:

\_\_\_\_\_

Witnesses: \_\_\_\_\_

\_\_\_\_\_

Contact Information of Witnesses: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Person Making Report: \_\_\_\_\_

Date: \_\_\_\_\_

This form must be submitted immediately to the library director.

## **Phoenicia Library Association Sick Leave Benefits Policy**

In compliance with New York State Law, the library provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

### **\* Regular full-time employees**

Full-time (35 hours per week) employees will accrue sick leave benefits at the rate of 5 days per year. Sick leave benefits are granted January 1<sup>st</sup> each year.

Paid sick leave can be used in minimum increments of one-half hour.

### **\* Part-time employees**

Effective September 30, 2020, part-time employees will accrue paid sick leave at a rate of one (1) hour for every 30 hours worked, up to 40 hours each calendar year. Leave may not be used until January 1, 2021.

Paid sick leave can be used in minimum increments of one-half hour.

Employees may use sick leave benefits for the following reasons:

Mental or physical illness, injury, or health condition of the employee or an employee's covered family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time of the request for leave;

For diagnosis, care or treatment of a mental or physical illness, injury, or health condition of, or need for medical diagnosis of, or preventive care for, such employee or such employee's family member; or

For an absence from work for reasons when the employee or employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking.

Family member includes employee's child (biological, adopted or foster child, a legal ward or a child of an employee standing in loco parentis), spouse, domestic partner, parent (biological, foster, step- or adoptive parent, a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child), sibling, grandchild or grandparent; and the child or parent of and employee's spouse or domestic partner.

Employees who are unable to report to work due to any of the above stated reasons should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

In the event of a prolonged illness or injury, a physician's statement may be required verifying the disability and its beginning and expected ending dates.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or library-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits accrue up to 50 days (either 350 hours for fulltime or 250 hours for part time).

Sick leave is not included in overtime calculations.

This supersedes and nullifies previous pandemic sick leave policy, and is separate from the Federally mandated COVID related paid benefits.

## **Phoenicia Library Association Unattended Children Policy**

The Phoenicia Library welcomes children and hopes that children who use the Library perceive it as a wonderful place to be. The Library believes that the library experience will be most positive for children when accompanied by a parent, guardian or other adult designated by the parent or guardian.

It is not safe to leave young children unattended in the Library as it is a public place with strangers and no supervision possible by the staff. It is also not fair to other library patrons. Unattended children may become restless, noisy and even destructive. This behavior will cause staff to ask, and if that is not successful, then tell, the child to behave, which may create a negative experience for the child.

For the protection and well-being of our patrons, adults and children alike, the following policies have been established for children **under the age of 12**.

- With some exceptions, children under the age of 12 may not be left unattended at the Library. They must be accompanied by a parent, guardian or other adult aged 18 or more approved by the parent or guardian.
- Parents of children aged 7 and under must remain in the same room as the child. Very young children must have an adult in arm's reach at all times with eyes on the child because the library is not baby or child-proofed. Shelving, small toys, large books can be dangerous to young children. Therefore, parents may not use computers while their young children play unwatched.
- Most of our children's programs are designed for both the child and their parent. Parents must attend any meeting, program, or event at which their child is present and, must remain in the Library building for the duration of the meeting or program and retrieve their child immediately at the conclusion of the event.
- If a program is a "drop-off" program, parents will be informed and a pick up time will be given. Children attending programs will be supervised by library staff or the volunteer running the program only while the program is ongoing.
- If a parent of a child under the age of 12 wishes to leave the building, it is their responsibility to request another adult be responsible in their absence, and notify the library staff. This provision also applies to any adult who may bring the children of friends or relatives, etc. to a meeting, program or event.

- Children who remain unattended at closing time present a particular problem. Children who require rides home must be picked up before closing time by parents, guardians or assigned chaperones, either known and acceptable to the staff or who If an authorized person does not appear by closing time, the police will be called to pick up the child. If an authorized person has been contacted and is on the way, a member of the library staff will remain with the child up to fifteen minutes after closing time, if possible. After fifteen minutes, the police will be called to pick up the child. If the child has been picked up by the police, a staff member will post a note on the door advising the parent of the circumstances and stating where the child can be located.

At no time will personnel of the Library drive a child home.

Exceptions to any of the foregoing rules may be made by the senior staff member present if she in her reasonable judgment deems it appropriate.

However, the responsibility for the safety and well-being of the children using the Library rests with the parents, guardians or other adults designated by the parents or guardians, whether present or not present. Neither the Library nor any staff member shall have any liability for injury to any unattended children if they have followed the rules set forth above. By leaving a child unattended at the Library, the parent, guardian or designated adult is deemed to have agreed with the provisions of this paragraph.

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Adopted by Board 12/20/18

File name: Unattended Children Policy

## **Phoenicia Library Association Vulnerable Adult Policy**

A vulnerable adult is an individual over the age of 18 who is mentally or physically challenged to a degree that may significantly impair that person's ability to provide adequately for his/her personal needs and manage his/her behavior without assistance.

Vulnerable adults who are unable or unwilling to care for themselves must be accompanied by a parent/guardian or caregiver who is responsible for monitoring the activities and managing the behavior of the vulnerable adults during their library visits.

Vulnerable adults who can understand the Patron Code of Conduct and who can care for themselves are welcomed to be in the library unattended. They should have contact information for someone who can assist them in an emergency. Library staff cannot be expected to monitor or prevent vulnerable adults from leaving the building or grounds or to assume responsibility for monitoring their behavior.

Subject to the Patron Code of Conduct, library staff may attempt to contact a parent, legal guardian or caregiver when an individual's:

- Health or safety is in doubt.
- Behavior disturbs other library users and has caused staff to ask the individual to leave the library.
- Parent, guardian or caregiver is not present at closing time. If the parent, guardian or caregiver cannot be reached, library staff may contact the police.

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Adopted by the Board May 17, 2018

File name: Vulnerable Adult Policy

## **Phoenicia Library Association Whistleblower Policy**

It is the responsibility of all members of the Board of Trustees and all employees of the Phoenicia Library to report violations or suspected violations of the Code of Ethics (the “Code”) in accordance with this Whistleblower Policy.

No director, officer or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the organization prior to seeking resolution outside the organization.

Employees should generally share their questions, concerns or complaints with the Library Director. However, if an employee believes that the Library Director is not the appropriate person or is not satisfied with the Library Director’s response, the employee is encouraged to report violations or suspected violations of the Code to the President of the Board of Trustees. The President of the Board shall address all reported concerns regarding corporate accounting practices, internal controls or auditing. Allegations concerning the President of the Board shall be made to the Vice-President or another officer of the Association.

Anyone alleging a violation or suspected violation of the Code of Ethics must act in good faith and have reasonable grounds for believing that the information disclosed indicates a violation of the Code. The making of an allegation that is proven not to be substantiated and proven to have been made maliciously or with knowledge that the allegation is false will be viewed as a serious disciplinary offense.

Allegations may be submitted on a confidential basis or anonymously by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. All allegations will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. The complainant shall be notified of the outcome of the investigation promptly after its completion.

## **Phoenicia Library Association Wireless Use Policy**

Phoenicia Library provides free wireless access to the internet for anyone having the required hardware and software needed for this service. Use of the wireless service constitutes agreement to abide by all the terms of this policy as well as the Public Computer Use Policy, Library's Rules of Conduct at and the Library's Internet Policy. All are welcome to use the wireless service, but anyone who does not have a valid Mid-Hudson Library System Card in good standing is asked to check in at the front desk.

### What is needed to access the wireless network

You should have a laptop with a charged battery and a standard wireless network interface card that is compatible with Wi-Fi standards 801.11a 802.1g. Most laptops that have been purchased within the past three years should meet this requirement.

### When wireless access is available

It is the Library's goal to provide wireless access during normal library operating hours. However, high demand, reliability of technology and other factors may affect the delivery of the service. For these reasons the Library cannot guarantee the availability or reliability of the service. If high demand is affecting the quality of the service, wireless users who have a valid Mid-Hudson Library System Card in good standing shall have priority, and users without such a card may be asked to refrain from use.

### Printing using the wireless network

Printing is only available through our wireless network if the user's computer automatically configures itself for printers, or you may save your work and print from a Library PC. There is a fee for printing and scanning.

### Wireless network security

Communication over a wireless network is not secure. The Phoenicia Library Association assumes no responsibility for the safety of your equipment or data while using the wireless network.

The library strongly advises that all laptops or wireless devices have up-to-date anti-virus software, spyware protection, and a personal firewall installed.

### Using power outlets

Available power outlets may be used wherever the cord does not present a tripping hazard or block access for patrons or staff. Chairs or tables are not to be moved to electrical outlets. It is recommended that you charge your battery before coming to the library.

### Headphones

Headphones must be used to access sound files. The library does not supply headphones to people accessing the wireless.

### Bandwidth

In order to preserve the integrity and function of the library's circulation program, the library reserves the right to limit bandwidth on a per laptop or computer connection basis on the wireless network. This will ensure network reliability and fair sharing of network resources.

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Adopted by Board July 2015  
Filename: Wireless Use Policy

## **Phoenicia Library Association Programming Policy**

The Phoenicia Library provides programming in order to offer additional opportunities for information, learning, community engagement and enrichment. Library programming is an integral part of library service that expands the role of the Library as a community resource; enhances the information found in library collections; offers opportunities for people to obtain important information; encourages participation in civic life; and fosters cultural interests and sense of community.

The Library Director is responsible for programming. The Director uses the following criteria in making decisions about program topics, speakers, and accompanying resources:

- Relation to library mission and service goals
- Community needs and interest
- Presentation quality and treatment of content for intended audience
- Presenter background/qualifications/reputation
- Availability of program space
- Budget and staffing considerations
- Connection to other community programs, exhibits or events

The Library may draw upon other community resources in developing programs and may partner with or sponsor other community agencies, organizations, educational and cultural institutions, or individuals to develop and present co-sponsored public programs. Professional performers and presenters that reflect specialized or unique expertise may be hired for Library programs.

The Library is interested in the opinions and suggestions for Library programs. These suggestions or opinions should be communicated to the Library Director.

All Library programs are open to the public, although in some cases the nature of the program may require that attendance is limited based on age, especially programs intended for children and teens that are geared to their interests and developmental needs.

Most library programs are offered free of charge, but a fee may be charged for materials or for fundraising programs, subject to the approval of the Director. Program presenters are

permitted to sell items such as books written by speakers or recordings made by performers, subject to the approval of the Director. Approval may be conditioned on the Library receiving a portion of the proceeds from such sales. Program presenters are responsible for the handling of all sales.

The Library's philosophy of open access to information and ideas extends to Library programming, and the library does not knowingly discriminate through its programming. However, Library sponsored programming is not used for commercial, religious, or partisan purposes or the solicitation of business. Library sponsorship of a program does not constitute an endorsement of the content of the program or the views expressed by participants.

The Library reserves the right to use video or photographs taken of program participants for internal use, publication, and use in library promotional outlets. External organizations or individuals partnering with the Library on programs must coordinate marketing efforts with the Library.

If a patron has a concern about a Library program, he or she should follow the procedure outlined in the Patron Complaint Policy.

All use of Library space for programming sponsored by parties other than the Library must conform to the terms of the Library's Meeting Room Policy.

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Adopted by the Board May 16, 2019

File name: Programming Policy