

Title Rights and Safety of Children
and Youth in the Library
Policy Number CPL-16-08
Policy Type Operational
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Notes



Purpose

The Caledon Public Library provides Library services for children and youth to assist in developing their full potential and fostering a lifelong love of reading, learning and creativity. The Caledon Public Library Board endorses the **Children's Rights in the Public Library** ([Appendix A](#)) adopted at the Ontario Library Association Annual General Meeting, November 1998 and the **Teen Rights in the Public Library** ([Appendix B](#)) adopted at the Ontario Library Association General Meeting, June 2010. In keeping with these rights, the Caledon Public Library welcomes and encourages children of all ages to use its facilities and services.

The Caledon Public Library also recognizes that children of all ages have a right to a respectful, supportive and safe environment when they visit the Library. Library staff is trained to assist children and teens in using the Library but cannot assume responsibility for the safety and well-being of children left unattended in the building. Parents and caregivers are reminded that the library is a public building with all the inherent dangers of such a setting. Library policies and services are designed to provide a safe and welcoming environment for clients of all ages but parents need to use the same caution with their children at the library as they would in any other public setting.

In an effort to ensure their safety and well-being within a public facility and to maintain an atmosphere of appropriate library use, the following policy has been adopted.

Definitions

For the purposes of this policy:

- A "child" is any person under sixteen years of age unless otherwise specified.
- A "parent/guardian" is any person who is either the natural, adoptive, foster parent or legal guardian of the child.
- A "caregiver" is anyone over 12 years of age to whom the parent has given responsibility for the care of the younger child.

Guidelines

- Responsibility for the welfare and the behaviour of children using the Library ultimately rests with the parent/guardian or an assigned caregiver.

- The Library acknowledges the following terms as stipulated in the Child and Family Services Act (CFSA) with regards to supervision of children.

Section 79(3) "No person having charge of a child less than 16 years of age shall leave the child without making provision for his or her supervision and care that is reasonable in the circumstances."

Section 79(4) "Where a person is charged with contravening Subsection (3) and the child is less than 10 years of age, the onus of establishing that the person made provision for the child's supervision and care that was reasonable in the circumstances rests with the person."

- Children under the age of 10 must be accompanied by an adult or caregiver while in the library.
- If a child is left at the library at closing time or in the event of an emergency situation or closure the staff person in charge will attempt to contact the parents or caregivers. If the parent or adult caregivers cannot be contacted within 15 minutes of closing hour, staff will notify the police. Staff will remain with the child until the parent and/or police arrive. Under no circumstances will library staff transport or take the child away from the library building.

Conduct of Children in the Library

Parents are responsible for the conduct of their children in the library as outlined below:

- Children ages 10 and over may use the library independently on a regular basis, but parents are still responsible for the behaviour of any children while in the library.
- Parents must ensure that children requiring supervision are brought to the library with a responsible caregiver.
- Parents or caregivers are responsible for supervising their child's access to all Library resources including the Internet and other technologies.
- Children under the age of 10 must have a parent or caregiver in the immediate vicinity unless they are participating in a library program.
- Parents or caregivers who do not attend a program with the child under the age of 10 must remain on the premises.
- Library staff may request that a parent or caregiver be present to sign a child in and out of a program.

Unattended Children in the Library

In most circumstances, the health and safety of children, particularly older children and teens, is not an issue. However, Library staff will intervene when they become aware that a child in the Library is in these, or similar situations:

- A child is alone, visibly upset or ill;
- A child under the age of 12 is left alone with younger siblings;

- A child is alone and doing something dangerous, or another person in the Library seems to be a danger to the child;
- A child is alone, and is not following library rules after reasonable warnings;
- A child is left alone at the library at closing time.

Duty to Report

The Child and Family Services Act (CFSA) recognizes that each of us has a responsibility for the welfare of children. It clearly states that members of the public including professionals who work with children, have an obligation to report promptly to CAS if they suspect that a child or youth under the age of 16 is or may be in need of protection.

The duty to report applies to any child who is, or appears to be, under the age of 16 years. It also applies to children subject to a child protection order who are 16 and 17 years old.

When Library staff members have reasonable grounds to suspect that a child is or may be in need of protection, they will advise the Chief Executive Officer or Manager on Duty and together they will promptly report the suspicion and the information upon which it is based to the local CAS, as stated in the CFSA s.72 (1).

Requests for information regarding Truant children

As a public facility, the Library does not monitor the activities of its customers unless there is a problem with conduct or a child is inappropriately left alone as outlined above.

If a school age child is noticed to be spending considerable time in the library during the school day, staff may check with the child and ask that a parent confirm with the Library that he/she is aware of the child's whereabouts.

Requests for Information regarding Missing Children/Runaways

Staff will not give information to any person over the telephone as to whether a child is currently in the library or has been in the library recently. Staff may offer to take a message and ask the child to call the person back. If a subpoena, warrant or court order is presented in person, staff must cooperate with police or other authorities in helping to locate a missing child. In the case of a missing child, library staff may share information with "a law enforcement agency requesting specific personal information, where the request is supported by a formal warrant or otherwise required by the law" or as indicated in the *Caledon Public Library Privacy Policy*. All such requests must be documented on the Caledon Public Library's Disclosure of Personal Information form created for this purpose.

Contravention of Policy

A child's failure to comply with this or other Library policies may result in consequences deemed by library staff to be appropriate to the behaviour. The Library may require children who are in chronic violation of library rules to be accompanied by a parent / caregiver during library visits for a period to be determined by the CEO/Chief Librarian.

The Caledon Public Library Board reserves the right to remove the privileges of any library user found in contravention of the Caledon Public Library Board's policies. Consequences may include: a warning; a directive to vacate the premises; suspension of library privileges; prohibition from the library building and premises by way of issuing a Notice of Trespass; and/or laying criminal charges.

Appeal Process:

An appeal or application for re-instatement may be submitted, in writing, to the CEO and Chief Librarian. Library privileges are not automatically re-instated. Only one appeal will be considered during the term of the suspension.

Office of the CEO and Chief Librarian
Caledon Public Library,
6500 Old Church Road
Caledon East, Ontario
L7C 0H3

Related Documents:

- **Public Libraries Act**, R.S.O. 1990, c. P.44
- **Ontario's Child and Family Services Act**, R.S.O. 1990, CHAPTER C.11, s.72 (1).
- **Caledon Public Library Privacy Policy**, CPL-15-01

Appendix A

Ontario Library Association's Position on Children's Rights in the Public Library

Children in Public Libraries have the right to:

1. Intellectual freedom
2. Equal access to the full range of services and materials available to other users.
3. A full range of materials, services and programs specifically designed and developed to meet their needs.
4. Adequate funding for collections and services related to population, use and local community needs.
5. A Library environment that complements their physical and developmental stages.
6. Trained and knowledgeable staff specializing in children's services.
7. Welcoming, respectful, supportive service from birth through the transition to adult user.
8. An advocate who will speak on their behalf to the Library administration, Library board, municipal council and community to make people aware of the goals of children's services.
9. Library policies written to include the needs of the child.

Appendix B

Appendix B

Ontario Library Association's Position on Teen's Rights in the Public Library

Teens in Ontario Public Libraries have the right to:

1. Intellectual freedom

The Library establishes clear policy statements concerning the right to free access by young adults to Library resources and information sources; and respect for the rights of young adults to select materials appropriate to their needs without censorship, The Library's teen collection, policies and services should be consistent with the concepts of intellectual freedom defined by the CLA, OLA and Ontario Human Rights code.

2. Equal access to the full range of materials, services, and programs specifically designed and developed to meet their unique needs.

The Library integrates Library service to teens into the overall plan, budget and service program for the Library. Library service to teens is integrated with those offered to other user groups.

3. Adequate funding for collections and services related to population, use and local community needs.

The Library incorporates funding for materials and services for teens in the Library operating budget and ensures there is equitable distribution of resources to support programs and services for young adults.

4. Collections that specifically meet the needs of teens

The Library provides a wide spectrum of current materials of interest to young adults to encourage lifelong learning, literacy, reading motivation, and reader development.

The Library endeavors to develop collections that encourage leisure reading, support homework and school success and responds to gender and cultural diversity. The Library provides unfettered access to technology including social networking, licensed databases, and other online Library resources for teens.

5. A Library environment that complements their physical and developmental stages.

The Library provides identifiable spaces for teens that are separate from children's spaces where possible, reflects their lifestyle and allows for teens to use this Library space for leisure or study, either independently or in groups.

6. Welcoming, respectful, supportive service at every service point.

The Library promotes friendly, positive, non-biased customer interactions with teens, providing staff development and training and ensures that services for teens embrace cultural and gender diversity and economic differences. Library staff will endeavor to respect the teen's need for privacy and nonjudgmental service and assist young adults

in acquiring the skills to effectively access all Library resources and become information literate.

7. Library Programs and Services appropriate for Teens

The Library fosters youth development by providing programs for teens that contribute to literacy, life- long learning and healthy youth development. The Library endeavors to provide volunteer opportunities for helping others through community service hours including participating on Library Advisory Boards, and other projects that help develop a sense of responsibility and community involvement. The Library's teen services initiatives are effectively managed according to best practices in the field of Youth Services.

8. Trained and knowledgeable staff specializing in teen services.

Library staff is knowledgeable about adolescent development and age appropriate resources for young adults inclusive of those with special needs. The Library provides services by teen specialists as well as by others who are trained to serve teens.)

9. An advocate who will speak on their behalf to the Library administration, Library board, municipal council and community to make people aware of the goals of teen services.

The Library works in partnership with other community agencies and organizations to support all aspects of healthy, successful youth development.

10. Library policies are written to include the needs of the youth.