SAN JOSE PUBLIC LIBRARY
NOTICE OF LIBRARY SUSPENSION

Part A

Name___________________________________________________________

Date of notice of Library suspension___________________________________

**Your visitor privileges to all San Jose Public Libraries are suspended for a period of ______ week(s).**

This means that you may not enter any San Jose Library from______________________ to________________________. **Y our access to the San Jose Public Libraries will be restored on_________________.**

Reason for suspension. Please describe the incident.

**Re-Entry Procedure:**

If your suspension is for a period longer than one (1) month, you must request a meeting with a Library Security Officer prior to your return. The purpose of the meeting is to review the Customer Conduct guidelines and the Library’s suspension process. In the case of a minor (under the age of 18), a parent or guardian must attend the meeting with the minor. To request a Re-entry meeting, please call the Library Security Unit at (408) 808-2635 or speak with a Library Security Officer.

**You have the right to a hearing.**

You may request a hearing to challenge this suspension. Your suspension will be withdrawn if a hearing officer determines that you did not engage in the behaviors listed on this form and that this suspension is unwarranted. To request a hearing, follow the directions below and complete and submit Part B of this form within five (5) working days.
Procedures to request a hearing:

Complete and return Part B, attached.

If you would like a hearing, you must complete and return Part B of this form within 5 working days of the date of the notice of suspension listed above. You must return this form to the Supervising Librarian of the library that issued this suspension, or any Library Security Officer. The library must actually receive this within 5 working days; postmarks will not apply.

Hearing Date:

Once you have returned Part B of this form, the library will send you a notice that will provide you with the hearing date, time and location. This notice will be mailed or emailed to you within five (5) working days of the time the library receives your request for a hearing. If you do not have an address, you must return to the suspending library in five (5) working days to pick up your notice of hearing date, time and place. The hearing date will occur no later than ten (10) working days after the request for a hearing has been requested.

Hearing Procedure:

When you arrive for your hearing you will be provided the opportunity to present evidence or reasons why this suspension should be withdrawn. Suspensions will be withdrawn if the hearing officer determines by a preponderance of the evidence that you did not engage in the behavior listed above under “Reason for Suspension,” and that this suspension is unwarranted. A parent or guardian must accompany a minor (under the age of 18) to the hearing.

Hearing Determination:

At the conclusion of the hearing, the hearing officer will verbally tell you whether the suspension will be withdrawn. The hearing officer will tell you the factual reasons for his or her decision. Within five (5) working days of the date of your hearing, the hearing officer will mail you a hearing determination that will reiterate what you were told at the hearing. If you do not have a mailing address, you may return to the suspending library after five (5) working days to pick up a copy of the hearing determination. The hearing determination will include findings of fact in support of the decision. The hearing officer’s decision is final.

Copies:

Supervising Librarian Public Safety Branch or Unit

Other ___________________________
SAN JOSE PUBLIC LIBRARY
NOTICE OF LIBRARY SUSPENSION

PART B

Yes, I want to appeal this suspension.

Name: ________________________________________________________________

Address: ______________________________________________________________

Email: _________________________________________________________________

Telephone: _____________________________________________________________

Reason for Appeal (Optional):

Issued by _____________________________________________________________ Branch/Unit

(Return this form to the library issuing the suspension.)

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suspension/4P
SAN JOSE PUBLIC LIBRARY

NOTICE OF HEARING - LIBRARY SUSPENSION

Date: ___________________________
Time: ___________________________
Location:

A parent or guardian must accompany a minor (under the age of 18) to the hearing.
On ______________, a hearing was held whereby you appealed your Library suspension. Present at the hearing were _______________________, on behalf of the Library, and ______________________, on behalf of the appellant. Pursuant to this hearing, the hearing officer has made the following finding of facts:

(Include a synopsis of the events that resulted in this suspension).

Accordingly, the hearing officer has determined that your suspension is (or is not) warranted. Your suspension will remain in effect until ______________. (or Effective immediately your suspension is withdrawn, and your Library privileges are restored.)

This decision is final. The time within which judicial review must be sought is governed by the California Code of Civil Procedure, section 1094.6.

If you violate the suspension order you will be asked to immediately leave the building and will automatically be suspended for one (1) additional month from the date of when your suspension was scheduled to end.

If you have been suspended for more than one (1) month you must meet with a Library Public Safety Officer before you may return to any Library facility.

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SAN JOSE PUBLIC LIBRARY
SUSPENSION RE-ENTRY PROCEDURE

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To ensure timely assistance with your re-entry you must schedule your re-entry appointment one (1) week prior to your return date. If this re-entry meeting does not occur, you will not be allowed into the Martin Luther King Jr. Library nor any of the San Jose Public Branch Libraries until the meeting takes place.

The assigned Library Security Officer will:
1) Review the reason(s) you were initially suspended;
2) Review the current Library Customer Conduct Guidelines;
3) Review the current Suspension procedures;
4) Ask for your signature noting you have completed the Re-entry meeting.