

East Kingston Public Library
Child Safety and Unattended Children Policy

The staff and trustees of the East Kingston Public Library hope that children who use our library will find our facility to be a warm and inviting place to develop a love of books, reading, and participate in library programs. The East Kingston Public Library urges parents and caregivers to actively participate in their child's/children's library visits. The Library attempts to provide a safe environment. The happiness and lefty of young children left alone at the library can, however, be a serious concern. While the library staff seeks to create a welcoming and comfortable atmosphere for children, the staff is not responsible to care for, or watch over, any child or children left unattended.

The East Kingston Public Library Trustees have established the following policies for unattended children in the library:

Behavior:

Parents or caregivers are responsible for the behavior of children, not the library staff.

Children age 8 and under must be closely supervised by a responsible caretaker (a parent, guardian, sibling, or mature adolescent) while at the library. The caretaker must be at least 14 years old. Preschoolers must be accompanied by the caretaker when in the restroom.

Children age 9 and over may use the Library unattended provided that their behavior is not disruptive. However, the parents or guardian are still responsible for their children's behavior and well-being when the child is at the library.

If a child's behavior is deemed by the Library Staff as inappropriate for the library, and the child does not respond to appropriate guidance from the library staff, the parent will be contacted. If the parent cannot be reached the East Kingston Police Department will be contacted.

Closing Time:

Parents should be aware of the closing time of the Library and should arrange to pick up their child/children before the Library closes. If the Library is closing and a parent or guardian cannot be located, or the parent cannot pick up the child in a reasonable time, the East Kingston Police Department will be contacted.

Staff members are not permitted to remain after hours with an unattended child.

Under no circumstances will a staff member take a child from the library or give a child a ride home.

The Director will contact the child's parent or guardian to explain the library policy and why the action was required.

The following state laws apply: RSA 169-B: 41-43; RSA 169-B: 45; RSA 169-C: 3(1) and 3(XIX).

Revised Approved: September 28, 2015

Adopted by the Board of Trustees of the East Kingston Public Library

TITLE XII PUBLIC SAFETY AND WELFARE

CHAPTER 169-B DELINQUENT CHILDREN

Section 169-B:41

169-B:41 Intentional Contribution to Delinquency. –

I. Any parent or guardian or person having custody or control of a minor, or anyone else, who shall knowingly encourage, aid, cause, or abet, or connive at, or has knowingly or willfully done any act to produce, promote, or contribute to the delinquency of such minor, shall be guilty of a misdemeanor. The court may release such person on probation, subject to such orders as it may make concerning future conduct tending to produce or contribute to such delinquency, or it may suspend sentence, or before trial, with such person's consent, it may allow the person to enter into a recognizance, in such penal sum as the court may fix, conditioned for the promotion of the future welfare of the minor, and the case may be placed on file.

II. Notwithstanding the provisions of paragraph I, any parent, guardian or person having custody or control of a minor, or anyone else, who shall knowingly or wilfully, encourage, aid, cause or abet, or connive at, or has knowingly done any act to produce, promote or contribute to the utilization of a minor in any acts of sexual conduct, as defined in RSA 650:1, VI, in order to create obscene material, as defined in RSA 650:1, IV, of the minor engaged in such conduct, shall be guilty of:

(a) A class B felony if such person has had no prior convictions in this state or another state for the conduct described in this paragraph;

(b) A class A felony if such person has had one or more prior convictions in this state or another state for the conduct described in this paragraph.

Source. 1979, 361:2. 1983, 448:4. 1995, 302:23, eff. Jan. 1, 1996.

CHAPTER 169-B DELINQUENT CHILDREN

Section 169-B:42

169-B:42 Procedure. – If any minor is found more than once to be delinquent by the court as provided in RSA 169-B:41, the court may, upon complaint of the county attorney or any other person, or upon its own motion, issue a warrant commanding any parent, guardian or person having custody or control of the minor found to be delinquent to be brought before the same court in which the findings of delinquency was made.

Source. 1979, 361:2, eff. Aug. 22, 1979.

TITLE XII

PUBLIC SAFETY AND WELFARE

CHAPTER 169-C

CHILD PROTECTION ACT

Section 169-C:3

169-C:3 Definitions. – When used in this chapter and unless the specific context indicates otherwise:

I. "Abandoned" means the child has been left by his parent, guardian or custodian, without provision for his care, supervision or financial support although financially able to provide such support.

XIX. "Neglected child" means a child:

- (a) Who has been abandoned by his parents, guardian, or custodian; or
- (b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or
- (c) Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity; Provided, that no child who is, in good faith, under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child under this chapter.

CHAPTER 169-B DELINQUENT CHILDREN

Section 169-B:43

169-B:43 Court Orders. – The court, upon a complaint issued under RSA 169-B:42, may proceed under that section and, in addition, if the court finds, after a hearing, that the parent, guardian, or person having custody or control of the minor has failed to exercise reasonable diligence in the control of such minor to prevent the minor from becoming guilty of juvenile delinquency as defined by statute, or from becoming adjudged by the court to be in need of the care and protection of the state as defined by statute, it may make such order specifying future conduct as is designed to reasonably prevent the reoccurrence of delinquency and to promote the future welfare of the minor. Such order shall remain in effect for a period of not more than one year to be specified by the court, and said order may be extended or renewed by the court. Before issuing any such order, the court shall advise such parent, guardian, or other person of the right to have the reasonableness of the order immediately reviewed; and, in this connection, the superior court is vested with jurisdiction to summarily determine the reasonableness of any question of law or fact relating to such written specifications and to make such further orders upon review thereof as justice may require.

Source. 1979, 361:2. 1995, 302:24, eff. Jan. 1, 1996.

CHAPTER 169-B DELINQUENT CHILDREN

Section 169-B:45

169-B:45 Vandalism by Minors. –

I. For purposes of this section, "vandalism" has the same meaning as "criminal mischief" in RSA 634:2.

II. The court shall, when appropriate, order any child who is found to have committed vandalism of private property to write a formal apology to the victim or victims of such vandalism.

III. The court shall, when appropriate, order any child who is found to have committed vandalism of public property to write a report on the history and significance of that property to the community or on another topic, as determined by the court.

IV. The court shall also order, when appropriate, any child who is found to have committed vandalism to contribute to the restoration of the property or to the restitution to the victim or victims of such vandalism by payment in money, by property repairs, by service to the injured party, or by service to the community.

V. Notwithstanding any other provision of this chapter, the court may order the parent or legal guardian of any child found to have committed vandalism, to submit restitution to the victim or victims of such vandalism by payment in money if the child is in the custody of and residing with such parent or guardian, and if the court finds that the vandalism was a direct result of the parent or legal guardian having neglected to exercise reasonable supervision and control of the child's conduct. For the purposes of this section, liability for compensation shall be limited to \$10,000.

VI. If the person violates the court's order to submit restitution under this section, such person shall be guilty of contempt.

VII. The court may permit payments under this section to be made in installments, up to 7 years, to be administered by the court.

Source. 1979, 450:1. 1995, 302:25. 1996, 225:1, eff. Jan. 1, 1997.