

Computer / Internet Acceptable Use Policy

INTRODUCTION

The Hopkins County - Madisonville Public Library system provides access to the Internet for the recreational, research, and productivity needs of its patrons. This access is provided by means of public computers and publicly available wireless network connections (Wi-Fi).

The Internet as an information source enables the Library's staff and patrons to find a wide array of information from sources not available any other way. It allows access to ideas, information, and commentary from around the world.

In order to comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)], it is the policy of the Hopkins County - Madisonville Public Library system to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; and (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors.

DEFINITIONS

Key terms are as defined in the Children's Internet Protection Act (CIPA)*

INTERNET FILTERING

The Children's Internet Protection Act mandates that technology protection measures (or "Internet filters") be applied within the Library (i.e., to Library-owned computers and Wi-Fi) in order to block or filter Internet, or other forms of electronic communication, from access to inappropriate information. Specifically, as required by CIPA, blocking shall be applied to visual depictions of obscene materials, child pornography, or material deemed harmful to minors. Other websites that have been determined by the Library's staff as sites that overburden or disrupt the Library's computer network may also be inaccessible. Filtering is applied to all modes of Library connectivity, including, but not limited

to, wired and wireless Internet access as well as any means of Internet connectivity that may be implemented in future.

The web filtering categories used by the Library are maintained by a third-party vendor and are not under the direct control of the Library. The Library cannot police the entire Internet, nor can Library staff evaluate each and every site which is blocked or allowed by the filters. However, some websites which have been carefully evaluated by the Library staff may be added to a Library-specific whitelist (for sites vetted and allowed by the Library) or blacklist (for sites vetted and blocked by the Library). Patrons who believe a site has been unfairly blocked or who believe that a site which is currently unblocked violates Library policies are encouraged to fill out a "Request to Block or Unblock a Website" form. The site will be critically evaluated by two or more members of the Library staff. Sites which are found to be in violation of the Library's Computer / Internet Acceptable Use Policies or other Library policies will be added to a Library-specific blacklist and will be blocked from further access. Sites which are not found to be in violation of any Library policies will be added to a Library-specific whitelist. A decision about whether to block or unblock the site will be made within 2 weeks.

The Library also employs the use of anti-virus and anti-spyware, which is built into the Library's firewall. Some sites may occasionally be blocked by the firewall for network security purposes. These sites are blocked automatically by the firewall and cannot be unblocked by Library staff.

The Hopkins County - Madisonville Public Library system respects the intellectual freedom of its patrons and recognizes that the technological limitations of Internet filtering software at the present time can place an unfair burden on the freedom of information. No Internet filtering software is completely accurate. Filters may falsely block legal and useful material that is appropriate in a public library setting or they may fail to block access to illegal or objectionable material. Internet filtering may be disabled for adults age 18 or older, upon request, only for bona fide research or other lawful purposes. Library staff will not require an explanation for disabling the filter. Patrons who request that filters be disabled are still required to abide by Library policies. Patrons will be required to show proof of age in order to allow disabling of the filter. The filter will NOT be disabled for minors, or for computers that minors are accessing. To this end, parents will not be able to request that filters be disabled for their children, even if the parent is in attendance for the duration of the computer session. Due to the current limitations of the Library's filtering software, filters cannot be disabled for devices connected to the Library's Internet services through Wi-Fi.

Patrons may not attempt to subvert or circumvent the Library's Internet filters. Any attempts to do so could result in loss of computer / Internet privileges. The Library's policies regarding use of its computer and Internet services remain in effect when the filter has been disabled.

CHOOSING INTERNET SOURCES

The Internet is an unregulated medium with a highly diverse user population, and it is possible that individuals might access information that they personally find offensive or disturbing. The Library is unable to monitor or control the content of materials on the Internet. Individual users must accept responsibility for determining the suitability of the content they are viewing for themselves and for their children. Not all information provided through Internet sources is accurate, complete, or current. The Library assumes no responsibility for the content or accuracy of any information obtained online. As with any material provided by the Library, patrons must take responsibility for critically evaluating the validity of any online content they access.

Internet filtering is not a substitute for parental judgment or oversight. It is the belief of the Hopkins County - Madisonville Public Library system that the reading and viewing activity of children is ultimately the responsibility of parents who guide and oversee their own children's development. Parents are encouraged to explore the Internet with their children, supervise them, provide clear guidelines regarding what sites and activities are off-limits, and teach their children safety rules for dealing with strangers online.

INTERNET / COMPUTER USE

All use of the Hopkins County - Madisonville Public Library system's computer and Internet services shall be consistent with the purposes, goals, and mission of the Library and its policies. Successful operation of the Library's computer and Internet network requires that users regard the Library's computer and Internet services as a SHARED resource, and cooperate with a community of users with diverse interests for the common purpose of advancing public education in Hopkins County. Because the Library's computer system is a shared, open resource, patrons are cautioned to exercise prudence in the use of this resource. The following are guidelines for the use of the Library's computer and Internet services:

- 1) Any use of the Library's computer or Internet services for illegal or inappropriate purposes, or in support of such activities, is prohibited. Any such use will result in the revocation of computer and Internet privileges in the Library.
- 2) No use of Library computer or Internet services shall serve to disrupt the use of the network for other patrons or staff.
- 3) Due to network bandwidth and potential copyright issues, BitTorrent and equivalent P2P (peer-to-peer) networking sites and software are prohibited on all Library computers or over the Library's Wi-Fi.
- 4) Some information found online is of a mature nature and may not be suitable for young children. Patrons under the age of 12 may not use the adult computer lab without the direct supervision of an adult responsible for their care. The responsible adult must be at the *same computer* as the child for the duration of the child's computer session. PARENTS AND GUARDIANS, NOT THE LIBRARY STAFF, ARE RESPONSIBLE FOR THE INFORMATION SELECTED AND/OR ACCESSED BY CHILDREN. Designated children's computers are available for patrons under the age of 12. These children's computers are pre-loaded with educational games and do not allow for web browsing.
- 5) Teen computers are available for patrons between the ages of 9 and 19. Teens and tweens are encouraged to use the teen computer lab instead of the adult computer lab whenever possible. A teen may be asked to relocate from the adult lab to the teen lab in the event that: (a) the adult lab is full, (b) there are patrons over the age of 19 waiting for an adult computer to become available, (c) there are available computers in the teen lab, and (d) relocating will not cause undue inconvenience.
- 6) "Express Terminal" computers are available for short-term access. Sessions on express terminals are limited to a maximum of 20 minutes, with no time extensions.
- 7) The Library uses automated time-keeping software to track the use of its public computers. A valid Hopkins County - Madisonville Public Library card is required to access this system. Library cards must be in good standing; Any fines or overdues materials on the account must be cleared before computers will become accessible.
- 8) Patrons may only use their own library cards to log into the Library's public computers. Patrons may not log into the Library's computers using someone else's card, even if the cardholder has given permission. If Library staff have reasonable cause to suspect that a patron may be logged into a public computer with someone else's library card, then the library account being used to access the computer may be temporarily expired until such time as the cardholder's identity can be verified.
- 9) A temporary guest pass for use of the Library's public computers may be generated for out-of-county who can provide a valid photo ID with proof of out-of-county residency. Guest passes are

only for use with the Library's express terminals. Out-of-county patrons must have a valid Hopkins County - Madisonville Public Library card to use the adult or teen computer labs. Patrons who live, work, or own property in Hopkins County will be required to have a valid library card to use the Library's public computers, including the adult lab, the teen lab, and the express terminals; no guest passes will be provided to in-county residents.

- 10) Educational and employment-related use of computer and Internet services takes precedence over recreational web browsing.
- 11) Downloading is permitted on Library computers. Users must provide their own storage media devices. Downloaded materials will not be retained on the Library's computers. Files downloaded from the Internet may contain malicious elements (like computer viruses) that could result in loss of data or damage to other computer equipment. The Library is not responsible for damage to a patron's storage media nor for any loss of data, damage, or liability that may occur from the use of the Library's computer or Internet services, nor can the Library guarantee compatibility with Library hardware or software.
- 12) Patrons may not install software to the Library's computers without staff permission and oversight. Patrons are not permitted to delete, add to, or modify the installed hardware or software. Patrons who need to install software are required to ask Library staff for assistance.
- 13) Printing from the Library's computers is available for a small charge. Patrons may not print items that do not conform to the Library's policies. Doing so may result in loss of computer privileges. Patrons are still able to log into the print release station even if their time in the computer lab has expired.
- 14) Public computers are available on a first-come, first-served basis. The adult and teen computer labs allow for sessions of up to 2 hours per day. When the computer lab is not full, computer sessions may be extended in 15-minute increments up to a total of two additional hours. Patrons must request an extension before their session expires. Time extensions are not permitted on express terminals. Guest passes will NOT be issued as a substitute for an extension in the case of an expired computer session.
- 15) Library staff are able to offer some limited basic assistance with patrons' computer needs. However, library staff have many responsibilities and constraints on their time, and therefore generally cannot provide in-depth one-on-one training on Internet, personal computer, or mobile device use. Staff members have varying levels of technological expertise. Because of scheduling, staff that is knowledgeable about a patron's particular technological needs may not always be available.
- 16) The Library staff makes every effort to provide computer and Internet services during the full operating hours of the Library. However, there may be times when these services are not operational due to Internet provider outages, computer repairs or updates, power outage, etc.

Operational hours may also be restricted at times due to use of the computers for Library programming.

- 17) The Library cannot guarantee privacy for individual users online. The sending or receipt of any information through the Internet is at the sole risk of the user.
- 18) When a computer session is ended, information about that session is ordinarily deleted. Personally identifiable information, including websites visited, passwords, credit card numbers, or any other information a patron has entered, as well as any files that a patron has downloaded to the computer's hard drive, are ordinarily purged from the computer at the end of each computer session. For this reason, the Library requires that all patrons follow correct log-out procedures, in order to protect patron privacy.
- 19) From time to time, the Hopkins County - Madisonville Public Library system shall make decisions of whether uses of the computer and Internet services are consistent with the stated policies. The Hopkins County - Madisonville Public Library system shall remain the FINAL authority on the use of computer and Internet services and the allowance of use by patrons. Library staff reserve the right to terminate a patron's computer or Internet session at any time.

This usage policy does not attempt to articulate all required or proscribed behavior by its patrons. Use of the Library's computer and Internet services is a privilege, not a right, and inappropriate use will result in cancellation of this privilege. Examples of inappropriate use include, but are not limited to:

- 1) Unauthorized connection to the Library's network, hacking, and other unlawful activities.
- 2) Subversion or circumvention of the Library's Internet filters.
- 3) Subversion or circumvention of the Library's authentication services, including (but not limited to) using someone else's library card to log into the Library's public computers.
- 4) Exhibition of pornographic or otherwise obscene material on Library computers or via Library Wi-Fi. (KRS 531.020)
- 5) Violation of copyright or software licenses while using Library computer or Internet services. (US copyright law, Title 17, US Code)
- 6) Use of Library computer or Internet services to harass or threaten others.
- 7) Illegal or criminal activities on Library computers or through Library Wi-Fi.
- 8) Misrepresentation of oneself on the Internet via Library computer or Internet services.
- 9) Intentional damage to workstations, printers, or other Library property.
- 10) Unauthorized tampering with computer or network hardware or software, including altering hardware/software configurations.
- 11) Violation of another user's privacy.

- 12) Violation of state obscenity and federal sexual harassment laws, which prohibit printing or display of sexually explicit materials in public places.

Abuse or misuse of equipment, software, or policies will be grounds for revocation of privileges or possible legal action.

CONFIDENTIALITY AND PRIVACY

Kentucky law recognizes the confidentiality of library records. Personally identifiable information about users, including minors, will not be disclosed or used in any way, except to law enforcement authorities as required by law. Some library records fall under the National Homeland Security Act and therefore may be subpoenaed as court documents.

* CIPA definitions of terms:

MINOR. The term "minor" means any individual who has not attained the age of 17 years.

TECHNOLOGY PROTECTION MEASURE. The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

1. **OBSCENE**, as that term is defined in section 1460 of title 18, United States Code;
2. **CHILD PORNOGRAPHY**, as that term is defined in section 2256 of title 18, United States Code; or
3. Harmful to minors.

HARMFUL TO MINORS. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

SEXUAL ACT; SEXUAL CONTACT. The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.