

Community Library Network[®]

KOOTENAI & SHOSHONE COUNTIES

COMPUTER USE POLICY

Approved by the Board of Trustees, December 18, 2017

The Community Library Network provides access to electronic information, services and networks in a manner that is readily, equally and equitably accessible at no charge to all library users. The library provides computer equipment and encourages patron use of personally owned digital devices and laptops, connected to the District's Wi-Fi network.

It is the policy of Community Library Network to:

1. Prevent user access over its computer network to, or transmission of, illegal material via Internet, electronic mail, or other forms of direct electronic communications;
2. Prevent unauthorized access and other unlawful online activity;
3. Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors;
Comply with the Children's Internet Protection Act [Pub. L. No.106-554 and 47 USC 254(h)];
4. Comply with Idaho Code 33-2741 Public Library - Internet Use Policy Required.

PROHIBITED ACTIVITIES

Examples of library Internet use prohibited activities include but are not limited to:

1. Viewing of obscene materials, child pornography and/or materials harmful to minors as defined by Idaho Code and the Child Internet Protection Act;
2. Libeling or slandering of others;
3. Bypassing the reservation and time control software used for logging computer usage;
4. Use of computer accounts, library accounts, access codes or network identification codes assigned to others;
5. Harassment or bullying of staff or members of the public, especially in matters of race, creed, color, national origin, gender, disability or sexual orientation;
6. Violation of software licensing agreements;
7. Unauthorized copying of copyrighted materials;
8. Storage of personal data on library owned computer hard drives;
9. Use of computer-generated sounds and/or visuals which might be disruptive to others;
10. Spamming, phishing or sending any unsolicited emails;
11. Uploading software or other programs onto library computers;
12. Unauthorized access, including so-called 'hacking,' and other unlawful activities; disruption or unauthorized monitoring of or interference with electronic communications or activities of others;
13. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors;
14. Destruction of or damage to equipment, software or data belonging to the library
15. Disruption or unauthorized monitoring of or interference with electronic communications or activities of others.

Please note the following:

- The Community Library Network is not responsible for any loss of data, damage or liability that may occur from the use of library owned electronic equipment and services or with a user's portable storage media and other personally owned devices;
- All Internet access is filtered in compliance with local, state or federal codes but no filtering software is perfect or totally secure;
- Adults over the age of 18 may request unfiltered Internet access for bona fide research or other lawful purposes as long as the users comply with this policy and have a valid ID;
- Wireless access users are responsible for maintaining the security of their personal information and protecting their devices against viruses and spyware;
- Staff can facilitate access to the Internet but may not be to provide individual Internet or software training;
- The library cannot ensure privacy for computer users in a public computing environment. The user should be aware that electronic transactions and records are vulnerable to interception by unauthorized parties;
- The Community Library Network does not endorse the viewpoints or vouch for the accuracy or authenticity of electronic information. Users are encouraged to exercise critical judgment in evaluating the validity of information accessed via the Internet.

ACCESS FOR MINORS

The Library Board upholds the needs and rights of minors to access information in accordance with local, state and federal codes. A parent or legal guardian is responsible for his or her child or children's computer use behavior.

INTERNET TIME LIMITS

There are limits to the amount of time patrons can access the Internet. Time limits vary slightly at different libraries. Access through the library's wireless connection is not be subject to time constraints available.

PRINTING COSTS

All computer-generated printing will be charged at a rate established by the Library Board.

POLICY VIOLATION

Any person found in violation of this policy will:

- A. Receive a verbal or written warning to desist;
- B. If the behavior persists, the user's computer use privileges will be revoked and they may be asked to leave the library;
- C. Decisions may be appealed to the Library Director.

CONFIDENTIALITY

Use of the Internet stations is validated through the library's circulation system and access to Internet stations will be treated as circulation records. The privacy of these records is protected under Idaho law and the policies of the Community Library Network. Patrons should be aware that the Internet is not a secure medium and that third parties may be able to

obtain information regarding a user's activities. The library will do its best to protect the confidentiality of computer users accessing databases and Internet sites that do not violate this policy.

LEGAL REQUIREMENTS

The Community Library Network's Internet Access Policy complies with Idaho Code 33-2741 Public Library - Internet Use Policy Required and with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

The Community Library Network has in place a policy of Internet safety for all computer users, including minors, which includes the operation of a technology protection measure, hereafter called "filtering software," on any publicly accessible computer with Internet access. The filtering software protects against access to visual depictions of child pornography, to visual depictions that are obscene or harmful to minors, as defined in I.C. 33-2741 and the Children's Internet Protection Act. The filtering software will be enforced to provide Internet safety during any use of a computer by a minor. Authorized library staff members may disable the filtering software at the request of an adult patron for lawful purposes. [I.C. 33-2741(3)].

SUPERVISION & MONITORING

Subject to staff supervision, filtering software may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Library Managers and their designated representatives.

IMPLEMENTATION REQUIREMENTS

A notice of the availability of this Policy will be posted in a conspicuous place within the library for all patrons to observe.

The Library Board has established procedures and guidelines to handle complaints about this policy, enforcement of this policy by library staff, and what a patron should do if they observe inappropriate behavior by another library patron. A notice of the availability of these procedures for public review will be posted, as well as the policies made readily available to all staff members. These procedures and guidelines will be adhered to by library staff to enforce the requirements of Idaho Code 33-2741 and the Children's Internet Protection Act.

Developed under the direction of the Library Board of the Community Library Network, this Internet and Online Access Policy was discussed and adopted, following public notice required by Idaho code, during an open meeting of the Library Board on 16 October 2014. This policy supersedes all previous Internet and Online Access Policy statements of the Community Library Network and is effective on 16 October 2014.

This Policy document will be reviewed by the Community Library Network Board at least every three years.

Katharine T. Blank
Library Board Chairperson

John W Hartung
Library Director

The effective date of this policy is 16 October 2014

Adoption date: 14 September 2011
First review date: 16 October 2014
Second review date: 18 December 2017

Addendum

TITLE 33
EDUCATION
CHAPTER 27

PUBLIC LIBRARY DISTRICTS

33-2741. PUBLIC LIBRARY -- INTERNET USE POLICY REQUIRED. [EFFECTIVE OCTOBER 1, 2012.] (1) Public libraries receiving public moneys and governed by the provisions of chapters 26 and 27, title 33, Idaho Code, that offer use of the internet or an online service to the public:

(a) (i) Shall have in place a policy of internet safety for minors including the operation of a technology protection measure with respect to any publicly accessible computers with internet access and that protects against access through such computers to visual depictions that are obscene or child pornography or harmful to minors; and

(ii) Shall enforce the operation of such technology protection measure during any use of a computer by a minor.

(b) (i) Shall have in place a policy of internet safety, which may include the operation of a technology protection measure with respect to any publicly accessible computers with internet access and that protects against access through such computers to visual depictions that are obscene or child pornography; and

(ii) May enforce the operation of such technology protection measure during any use of a computer.

(2) The provisions of this section shall not prohibit a public library from limiting internet access or otherwise protecting against materials other than the materials specified in this section.

(3) An administrator, supervisor or other authorized representative of a public library may disable a technology protection measure described in subsection (1) at the request of a library patron to enable access for lawful purposes.

(4) Each public library's policy shall be developed under the direction of the library's board of trustees, adopted in an open meeting and shall have an effective date. The board of trustees shall review the policy at least once every three (3) years. The policy shall reflect the most recent date of review.

(5) Notice of the availability of the policy shall be posted in a conspicuous place within the library for all patrons to observe. The board of trustees may issue any other public notice it considers appropriate to inform the community about the policy.

(6) The policy may:

(a) State that it restricts access to internet or online sites that contain material described in subsection (1) of this section and how the policy meets the requirements provided for in this section;

(b) Inform patrons that administrative procedures and guidelines for library staff to follow in enforcing the policy have been adopted and are available for review at the library; and

(c) Inform patrons that procedures for use by patrons and staff to handle complaints about the policy, its enforcement or about observed patron behavior have been adopted and are available for review at the library.

(7) For purposes of this section, the following terms shall have the following meanings:

(a) "Child pornography" means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

- (i) The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- (ii) Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- (iii) Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.
- (b) "Harmful to minors" means any picture, image, graphic image file or other visual depiction that:
- (i) Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
- (ii) 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
- (iii) Taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.
- (c) "Minor" means anyone who has not attained the age of eighteen (18) years.
- (d) "Obscene" means a depiction that:
- (i) The average person, applying contemporary community standards, would find to appeal to the prurient interest;
- (ii) Depicts or describes sexual conduct in a patently offensive way; and
- (iii) Lacks serious literary, artistic, political or scientific value.
- (e) "Public moneys" means any and all moneys belonging to or collected by the state or any political subdivision thereof including, but not necessarily limited to, any city, county, town or district therein.
- (8) The provisions of this section shall have no effect on the provisions of section 33-132, Idaho Code.

Children's Internet Protection Act

Background

The Children's Internet Protection Act (CIPA) is a federal law enacted by Congress to address concerns about access to offensive content over the Internet on school and library computers. CIPA imposes certain types of requirements on any school or library that receives funding for Internet access or internal connections from the E-rate program – a program that makes certain communications technology more affordable for eligible schools and libraries. In early 2001, the FCC issued rules implementing CIPA.

What CIPA Requires

- Schools and libraries subject to CIPA may not receive the discounts offered by the E-rate program unless they certify that they have an Internet safety policy that includes technology protection measures. The protection measures must block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors (for computers that are accessed by minors). Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal.
- Schools subject to CIPA are required to adopt and enforce a policy to monitor online activities of minors.
- Schools and libraries subject to CIPA are required to adopt and implement an Internet safety policy addressing: (a) access by minors to inappropriate matter on the Internet; (b) the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications; (c) unauthorized access, including so-called "hacking,"

and other unlawful activities by minors online; (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (e) measures restricting minors' access to materials harmful to them.

Schools and libraries are required to certify that they have their safety policies and technology in place before receiving E-rate funding.

- CIPA does not affect E-rate funding for schools and libraries receiving discounts only for telecommunications, such as telephone service.
- An authorized person may disable the blocking or filtering measure during use by an adult to enable access for bona fide research or other lawful purposes.
- CIPA does not require the tracking of Internet use by minors or adults.

You can find out more about CIPA or apply for E-rate funding by contacting the Universal Service Administrative Company's (USAC) Schools and Libraries Division (SLD) [1]. SLD also operates a client service bureau to answer questions at 1-888-203-8100 or via email through the SLD website.

For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau website [2], or contact the FCC's Consumer Center by calling 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, D.C. 20554.

Source URL: <http://www.fcc.gov/guides/childrens-internet-protection-act>

Links: [1] <http://www.sl.universalservice.org>[2] <http://www.fcc.gov/consumer-governmental-affairs-bureau>[3] <http://www.fcc.gov/cgb/consumerfacts/cipa.pdf>[4] <http://www.fcc.gov/category/bureau/consumer-governmental-affairs>