

LIBRARY PUBLIC INTERNET AND COMPUTER USE POLICY

PURPOSE

The purpose of this administrative policy is to provide information and process that is in compliance with applicable federal, state, and local laws regarding the public's use of the internet and computers provided by the library.

DEFINITIONS

Internet: an unregulated public worldwide connection of computers.

GENERAL POLICY

To fulfill our mission, the Lincoln Public Library provides access to a variety of information resources that assist our patrons, including those available through the computers in the Library and the internet. These computer-based resources and the internet extend the Library's collections and services by making available a variety of informational, educational, professional, recreational and cultural enrichment resources. The Library provides this access for all cardholders.

Intellectual freedom and censorship statement

The Lincoln Public Library supports the individual's right to access ideas and information representing all points of view. The Library welcomes and solicits patron suggestions, comments, and ideas about the collection and its development. The Library Board and the City Council endorse the following documents: the Library Bill of Rights, the Freedom to Read and the Freedom to View statements of the American Library Association.

Laws

The following list of laws governs the use of the internet and public computers at the Lincoln Public Library. This list is not intended to cover all current or future laws governing the use of the internet at the Library's public computers.

Harmful to minors

All Library computers with internet access are located in public areas where minors may be present. California law defines a "harmful to minors" violation as every person who, with knowledge that a person is a minor, knowingly exhibits or offers to distribute or exhibit by any means, matter which is deemed harmful to minors. According to California Penal Code Section 313 "harmful matter" means matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest, and is matter which, taken as a whole, depicts or describes in a patently offensive way sexual conduct and which, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

Child pornography

California Penal Code Section 311.3 prohibits the sexual exploitation of a child. A person is guilty of sexual exploitation of a child if he or she knowingly duplicates, prints or

exchanges any representation of information, data or image that depicts a person under the age of 18 years engaged in an act of sexual conduct.

Obscenity

Obscene graphic materials are prohibited from being displayed, printed or downloaded. California Penal Code 311 states "Obscene matter" means matter, taken as a whole, that to the average person, applying contemporary statewide standards, appeals to the prurient interest, that, taken as a whole, depicts or describes sexual conduct in a patently offensive way, and that, taken as a whole, lacks serious literary, artistic, political, or scientific value. This criterion was established by U.S. Supreme court's three-part Miller Test (Miller v. California, 413 U.S. 15). Federal, state or local law does not constitutionally protect obscene materials and images.

Tampering with equipment

According to California Penal Code Section 502, it is illegal for users to physically or electronically modify Library computer equipment or to tamper with hardware or software. No software may be installed on the Library computers; requests for new software may be made to Library staff. All requests will be reviewed by Library staff and City IT staff.

Hostile work environment

Displaying explicit, graphic or obscene images on Library computers may create a hostile workplace environment for Library staff and may constitute a violation of Title VII of the Civil Rights Act of 1964 which prohibits sex discrimination in the workplace.

Copyright

In accordance with federal copyright laws (Title 17, U.S. Code), users of the internet who copy, distribute, or display a copyrighted work publicly without authority of the copyright owner or its agent are liable for copyright infringement. This includes copyrighted material downloaded, saved, or printed using Library computers. Users may not copy or distribute electronic materials, including electronic mail, text, images, programs or data, without the explicit permission of the copyright holder.

Law enforcement will be alerted as appropriate for violations of the law.

Disclaimers

The Lincoln Public Library is not liable for any direct, indirect, or consequential damages related to the legal or illegal use of the internet. This includes information found, saved, distributed, printed, downloaded, or displayed. The City of Lincoln and the Lincoln Public Library expressly disclaim any liability or responsibility resulting from such use.

In providing internet access to the public, the Library does not endorse or sanction its resources. The Library cannot control or be held responsible for its content. Information found on the internet may not be accurate, timely, authoritative, useful, or in good taste.

Children:

As with all Library materials, the internet is available to all cardholders including children. Parents or guardians are responsible for supervising their children when using the internet at the Library. Any restriction of a minor's access to materials on the internet is the responsibility of the parents or guardians, not Library staff. The Library cannot act in “loco parentis”, thus staff cannot monitor use or restrict access of minor children.

Access and Users' Responsibility

The Library offers computers with access to the internet, software, databases, and the Library catalog. The internet is an unregulated public worldwide connection of computers. Other Library resources available on some computers are for searching the library's holdings, using authorized software, and accessing online databases. Users must comply with all federal, state or local laws, policies, or regulations.

Responsibility: The Library expects patrons to act responsibly when using the internet. The user is ultimately responsible for selecting which sites to visit but should be aware that others may be involuntarily exposed to what is displayed. Users are asked to respect the privacy of others.

The user is expected to adhere to this Library Public Internet and Computer Use Policy and the Library Code of Conduct. This includes using only headphones with the computers and ensuring that the volume is low enough to not disturb other library patrons. Failure to comply will result in loss of computer privileges, loss of Library privileges, or prosecution.

Choosing and Evaluating Resources: The Library reminds patrons to evaluate the soundness of all information found. Use of internet resources carries with it a responsibility to evaluate the quality of the resources accessed. Be aware that some information may be inaccurate, outdated, or personally offensive.

Assistance: The Library provides staff to assist patrons of all ages in locating the information they need on the internet. Staff availability may be limited due to external factors. Staff cannot provide extended training or technical support.

Privacy: The Library does not monitor internet access but warns that the internet is not a confidential environment. Be aware that any information sent over the internet, including personal names, addresses, phone numbers, social security numbers, or credit card numbers, cannot be guaranteed secure. In order to assist in patron privacy, all computers are wiped between patrons. As such, no personal information may be stored on the public computers.

The Library does not routinely monitor public computers but reserves the right to do so when a violation of the Library Public Internet and Computer Use Policy, the Library Conduct Code, the Library Public Computer Use Guidelines, or the law is suspected. Staff is authorized to take immediate action to protect the security of our patrons, computers, and network. This includes confiscating any removable media, requiring a user to leave a computer or the premises, or contacting law enforcement authorities.