

# Lehi City Public Library

## Internet Access Policy

The library offers Internet access to patrons who agree to the following policy:

The Lehi Library provides access to the Internet for use by its patrons. The Internet is provided primarily for research and educational purposes, and is a **privilege**, not a right.

Patrons wishing to use the Internet must read the Lehi Library Internet Policy & Procedure and agree to abide by the provisions found therein. Internet computers **will not** be reserved. Use is on a first come, first served basis. Only one person will be allowed at any Internet computer at any time, unless a parent makes arrangements to have their child sit with them.

Use of the Internet is limited to one hour per day for each patron. This hour may be broken up into several sessions.

The Lehi Library recognizes that the information available through the Internet may be inaccurate, incomplete, or out of date. Some information may be published via the Internet intentionally to cause harm, to offend, to provoke, or to entice someone into illegal activities. The Lehi Library provides access to information and makes no endorsement or condemnation of the validity, source, or relevance of that information. The patron is **strongly** cautioned to keep in mind these factors when retrieving information from the Internet.

The library uses a technology protection measure or "filter" on the library's publicly accessible computers connected to the Internet. The filter is set up to block images of child pornography, obscenity, and items harmful to minors or users under 18 years of age. \* (UCA 9-7-215 and 9-7-216, as amended by the 2004 Legislature.)

Although filters will limit access to inappropriate sites, no filter is perfect. Patrons are cautioned to not rely solely on this filter to ensure that the information they access is of acceptable standards. Each patron using the Internet is responsible for the information they access. Should a patron inadvertently access inappropriate or objectionable information, they must immediately notify the library staff.

Unacceptable use of the public access computers includes, but is not limited to, the following:

- Violation of security measures
- Disruption of the computer network or other tools
- Violation of software licensing agreements
- Violation of Lehi Library policy or procedures
- Destruction of equipment, software, or data belonging to the Library or others
- Harassing, libeling, or slandering others
- Display or dissemination of sexually suggestive (obscene / pornographic) material
- Commercial use of the Library's Internet computers for financial gain, product advertisement or political activities
- Intentional distribution of disruptive software

Users of the Internet will be monitored to ensure compliance with the Lehi Library Internet Policy. Parents should not depend solely on this monitoring for the suitability of the information their children access.

Any patron violating the policy will be asked to stop the offending behavior. If the patron refuses to stop, or harasses the library staff in any way, Internet privileges will be lost for the period of one month. If the

offending behavior occurs again after the one month ban, the patron will lose privileges for one year and will have to make a written request, for reinstatement, to the library director and library board. The library director and/or a board member will meet with the patron to evaluate whether or not to reinstate the patron's privileges. The decision of the director and/or library board member is final.

If the patron's Internet privileges are reinstated and the offending behavior continues after this reinstatement, the patron will no longer be allowed to use the Internet for ANY purpose.

The Library Board has disapproved the use of public access Internet computers for online gaming (e.g. gambling) or any illegal purposes in an effort to protect patrons and the library against materials other than the materials specified in Utah law.

## **Additional Policies and Guidelines**

### **The Lehi City Public Library:**

- Will assist patrons in using the Internet to the extent that time and other patron demands allow.
- Will re-evaluate whether to block or unblock a specific site if a patron disagrees with the filtering software's handling of that site. Users may request reconsideration of a website's status by completing a ***Request for Internet Site Review*** form, available at the Circulation Desk, and submitting it to Library staff.
- Will NOT be responsible for the availability or accuracy of information accessible via the Internet. The Internet is an unregulated medium, with access points and content which change rapidly and unpredictably.
- Will NOT guarantee that its filtering software will be totally effective.
- Will NOT accept responsibility for the use of the Internet by children and young people. Responsibility for the use of all library materials, including Internet resources, rests with young people's parents or legal guardians. Parents are encouraged to work closely with and supervise their children to ensure that children's use of Internet resources is consistent with their family's values.
- Will NOT guarantee the security of any personal information transmitted via the Internet using the Library's connection.
- Will NOT accept responsibility for damage to any user's disk or computer, or for any loss of data, damage, or liability that may occur from patron use of the Library's Internet connection or malfunctioning Library hardware or software.

### **Users of our Internet service agree that they:**

- Will comply with procedural restrictions such as time limits and printing charges, developed by Library staff to provide for equitable use for all patrons.
- Will accept responsibility for determining that the information they access is acceptable, reliable, and suitable to their and/or their children's needs. Not all Internet sources provide accurate, complete or current information. Users should also be aware that some sites do not provide a secure medium for transmitting personal information, such as name, address, or credit card number.
- Will respect copyright laws and licensing agreements. Materials obtained or copied from the Internet, including software may be subject to copyright law, which prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of fair use. Any responsibility for consequences arising from copyright infringement or any other illegal use lies with the user.
- Will avoid exposing others involuntarily to material that they or, if under 18, their parents might find unsuitable. The Library computers are in public areas, and privacy cannot be guaranteed.
- Will respect the privacy of other Internet users. This includes not representing oneself as another user, not attempting to view what others are accessing without their permission, not trying to gain access to someone else's data, and not hovering over other users while waiting for a turn.
- Will NOT modify Lehi City Public Library hardware, software or settings. (This includes downloading software from the Internet.) Misuse of Library computers may result in fines or loss of Internet and/or Library privileges. Users who intentionally damage Library computers may be prosecuted.
- Will NOT load personal files or software on Library computers.
- Will NOT use Library computers to display or disseminate visual images containing pornography, obscenity, graphic violence, or other images harmful to minors and inappropriate in a public library setting. While respecting an individual user's right to privacy, staff has the right to monitor use of Internet workstations to ensure compliance with this policy. Inappropriate use of this resource is prohibited and may result in the loss of Internet and/or Library privileges.
- Will NOT use Library computers to violate any law. Illegal acts, such as hacking and spamming, involving Library computing resources may be subject to prosecution by local, state or federal authorities.

Information from this policy is on the start-up page of every public Internet computer in the Library. Access to the full policy is available at the Library's website, <http://www.lehi-ut.gov/library>, or in print at the Library circulation desk.

## **Guidelines for Enforcement of the Online Public Access Policy**

When staff members observe a violation of this policy, they are expected to report the violation to their supervisor or the person-in-charge. Patrons observing a potential violation of this policy should notify a library staff member, who will then verify the violation. Patrons in violation of this policy will be handed a printed copy of the policy and be given a verbal warning.

If the problem behavior persists, or in the case of extreme misuse, the patron will be asked to leave the Library for the day. The police will be called when patrons refuse to leave the Library after being asked to do so, or when using Library computers to engage in illegal acts.

The privilege of access to the Library's Internet services may be suspended for the following reasons:

- misusing or damaging Library computers
- displaying or disseminating visual images containing pornography, obscenity, graphic violence, or other images harmful to minors and inappropriate in a public library setting
- using Library computers to violate any local, state, or federal law
- persistent, willful violations of the Library's Online Public Access Policy

## **Procedures for Addressing Concerns about This Policy and Its Enforcement**

Procedures to handle complaints about this policy, its enforcement, and about observed patron behavior exist and are available for public review. This procedure involves all concerns or questions about this policy, its enforcement, or observed patron behavior being directed to any Library Services Manager. If any concern cannot be resolved by the Manager contacted, a written report will be submitted at the next meeting of the Management Team, which includes the Library Director and all Library Services Managers. The patron will be informed in writing of their response within a week of their meeting.

Patrons not satisfied with this disposition may then appeal to the Library Board through the Library Director within thirty (30) days after the issuance of a formal response. The Library Director will forward the request to the Board along with Management Team recommendations. After full consideration of the specific concern, the Library Board will make final determination of the matter. The patron shall be notified of this action within thirty (30) days of the Library Board meeting in which the matter was discussed.

### **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 will be adhered to by library staff to enforce the requirements of **Sections 9-7-215 and 9-7-216 UCA.**

Board of Trustees

Lehi City Public Library

Approved & effective February 3, 2010

Reapproved April 11, 2013

Reapproved April 19, 2016

\* Child Pornography is defined by *Utah Code 76-5a-2: 1*

"Child pornography" means any visual depiction, including any live performance, 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:

- the production of the visual depiction involves the use of minor engaging in sexually explicit conduct;
- the visual depiction is of a minor engaging in sexually explicit conduct; or
- the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Harmful to Minors is defined by *Utah Code 76-10-1201:4*

"Harmful to minors" means that quality of any description or representation, in whatsoever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse when it:

- taken as a whole, appeals to the prurient interest in sex of minors;
- is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
- taken as a whole, does not have serious value for minors. Serious value includes only serious literary, artistic, political or scientific value for minors.

(The Utah Children's Internet Protection Act limits this category to "visual depictions".)

Obscenity, according to the law, is defined as in 20 USC Sec 9101 of the US Code .

This section, however, does not define obscenity. Instead 20 USC 9134 refers to 18 USC 1460, but this doesn't define it either. The current legal definition has been developed through the Supreme Court decisions *Miller vs. California* and *Brockett vs. Arcades* . It relies on a three-pronged test:

- whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest,
- whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and
- whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value