

INTERNET POLICY
MERCED COUNTY LIBRARY

Policy

Using the Internet at the Library

The Merced County Library provides free public access to the Internet to meet the information needs of our users and to provide residents with opportunities for learning about information technology. The Library has no control over the quality or accuracy of information found on the Internet. Users should critically evaluate its content. All user access is 'filtered' to comply with applicable state and federal law. Consistent with the Board of Supervisors Policy, federal and state law, all workstations in all branches offer only filtered access to all Library customers of all ages. The Children's Internet Protection Act (CIPA) requires libraries such as the Merced County Public Library and the other members of the San Joaquin Valley Library System, which receive discounts on Internet connections and service to block or filter for all users visual depictions that are obscene or child pornography, and to filter, depictions which are harmful to minors. Within these provisions and policy, access to information through the Internet for minors shall be the responsibility of the parent(s.)

The Library will provide children Internet access in a safe environment. Internet filters are imperfect. They may block some constitutionally protected material, and they may fail to block some unlawful materials. A 2003 U.S. Supreme Court decision authorizes disabling of the filter for lawful use by adults. Adults 18 years and older may request Library staff to disable the filter for lawful purposes at a specific workstation for a specific session of use. However, no access will be granted to sites rated by the filter as spyware, malware, adware, or the like, because they have the potential to harm the Library's network and/or individual workstations and disrupt the Library's ability to provide service to its users. Phishing sites (a scam by which an e-mail user is duped into revealing personal or confidential information which the scammer can use illicitly) are blocked because of their deceptive collection of personal information. Library staff should be notified if you believe a site has been rated incorrectly.

Further, if the nature of the content being viewed on the Library workstation disturbs other Library users, the viewer will be asked to cease or will be moved to another workstation if one is available. Internet users of all ages may ask the Library to evaluate sites they believe are inappropriately blocked by the filter. The Library will also consider requests by Internet users to block websites believed to display unlawful images.

Having adopted and implemented an Internet safety policy addressing: (1) access by minors to inappropriate matter on the Internet and World Wide Web; (2) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (3) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal information regarding minors; and, (5) measures designed to restrict minors' access to materials harmful to minors. By installing a blocking or filtering measure, Merced County Library will have policies, procedures, and technologies in place to comply with Federal Communications Commission Children's Internet Protection Act requirements.

As with other library materials, Library staff does not monitor what any user views or reads over the Internet. Parents and legal guardians are responsible for their minor children's use of the Internet. Parents and guardians should supervise all Internet sessions of minors in their custody.

The Merced County Main Library – Children's Room Computer Use policy allows for children to sign up at the Children's Information Desk for 30 minute blocks of time. Each child has 30 minutes of use a day. Parents and legal guardians must sit and stay with children under 8 years of age and are responsible for their minor children's use of the internet. Library staff reserves the right to reassign computer stations as necessary or to remove a child after one warning of disruptive behavior.

Current Guidelines as noted here and modified from time to time by the County Librarian will continue.

- 1) To provide equal opportunity for all residents to access the Internet, the Library limits the total daily use by each person to a maximum of 1 hour. In locations with few PC's, total daily use may be limited to 30 minutes. The length of each session varies by location but is no less than 30 but no longer than 60 minutes.
- 2) Each user must have a valid San Joaquin Valley Library System library card and PIN to reserve a computer. Short-term visitors to the area are allowed use of a guest card.
- 3) Library service desks do not schedule the use of Internet workstations. Users' time is based on 'first come first serve' but patrons must sign-up to enter the computer use queue.

- 4) Printouts cost 20 cents per page and \$1.00 per page where color printers are available. Ask for assistance with printer problems.
- 5) Users may not make any attempt to damage computer equipment or software.
- 6) Users may not make any attempt to alter software configurations.
- 7) Users may not make any attempt to cause degradation of system performance.
- 8) Users may not use any Library workstation for any illegal or criminal purpose.
- 9) Users may not violate copyright laws or software licensing agreements in their use of Library workstations.
- 10) Users may not engage in any activity which is deliberately slanderous.
- 11) Users may not install or download any software.
- 12) Users may not disturb other Library users or staff in any way, including by display of sexually explicit material (See also Library Conduct Policy)
- 13) Minors may not view material that is harmful to minors under California Penal Code Section 313 et seq.
- 14) Children under 8 may use computers when supervised by a parent/guardian. In locations with separate children's areas, use of computers in these areas may be limited to children 14 years and under. The parent/guardian must remain with the minor child while s/he uses the computer.
- 15) Library staff will provide basic assistance to computer users but cannot provide in-depth individual instruction.
- 16) Some computers include 3.5 inch drives, CD drive, and/or USB flash drives, and library users who bring their own storage media may download to them. The Library assumes no responsibility for damage to users' computer equipment or data files resulting from downloads from the Internet.

Violations will result in the revocation of Internet use privileges. Unlawful activities will be reported to local law enforcement authorities.

Copyright

U.S. Copyright Law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use." Users may not copy or distribute electronic materials (including electronic mail, text, images, Programs or data) without the explicit permission of the copyright holder. Responsibility for any consequences of copyright infringement lies with the user; the Library expressly disclaims any liability or responsibility resulting from such use.

CHILDREN AND INTERNET PROTECTION ACT

The Schools and Libraries Support Mechanism - often called the "E-Rate" - provides support for eligible schools and libraries to help offset the cost of advanced telecommunications services. Universal Service Administrative Commission (USAC) administers the Schools and Libraries Support Mechanism which was launched in November 1997. Libraries and schools can apply for pricing discounts for the following services:

- Telecommunications services including local and long-distance service
- Internet access
- "Internal connections" projects such as wiring and networking schools and libraries to facilitate the use of advanced telecommunications technology; providing these connections affords students and library patrons the same access to high technology and near-instant information and resources that once could only be found at the university level.

The range of discounts available to schools and libraries correlates with the household income level of students in their communities and their urban or rural status. Income for a school or district is measured by the percentage of students eligible for the National School Lunch Program (NSLP) administered by the United States Department of Agriculture.

The Children's Internet Protection Act (CIPA) was signed into law on December 21, 2000. Under CIPA, no school or library may receive E-Rate discounts unless it certifies that it is enforcing a policy of Internet safety. The Internet Safety Policy must include the FCC Compliance Regulations.

From the Federal Communications Commission (FCC) Compliance Regulations "FCC 01-120"

- In order to receive discounts for Internet access and internal connections services under the universal service support mechanism, school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. These include visual depictions that are (1) obscene, or (2) child pornography, or, with respect to use of computers with Internet access by minors, (3) harmful to minors. An authorized person may disable the blocking or filtering measure during any use by an adult to enable access for bona fide research or other lawful purpose.

- In order to receive discounts, school and library authorities must also certify that they have adopted and implemented an Internet safety policy addressing (1) access by minors to inappropriate matter on the Internet and World Wide Web; 2) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (3) unauthorized access, including so-called “hacking,” and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (5) measures designed to restrict minors’ access to materials harmful to minors.