

TO: James L. App, City Manager
FROM: Barbara Partridge, Director, Library & Recreation Services
SUBJECT: Adoption of Internet Use Policy
DATE: July 20, 1999

NEEDS: For the Council to consider adoption of a Library Internet Use Policy .

FACTS:

1. Internet use for the public is anticipated in the Library during the 1999/2000 fiscal year.
2. In preparation for this new service, the Library Board of Trustees has developed a policy and guidelines for public Internet use.
3. Copies of the draft policy were reviewed by Library staff, City Attorney, Information Systems Manager, and the City Manager and made available for public review at the Library. Copies were mailed to schools and other interested parties. A workshop for public comment on the draft policy was held on April 21, 1999.
4. After considering public comments, the Board amended and approved the policy & guidelines at their April 22, 1999 meeting.

ANALYSIS &
CONCLUSION:

With Internet use for the public on the horizon, the Library Board of Trustees, Library staff, City Attorney, and Information Systems Manager have carefully constructed an Internet Use Policy and Guidelines to effectively manage Internet use in the Library. Major issues considered include:

- **Responsible use of the Internet** - Users must read Internet guidelines and sign an agreement and release before using Library Internet stations. Misuse may result in revocation of Internet privileges.
- **Use of the Internet by Minors** - A parent or legal guardian must sign the agreement and release on behalf of a minor child.
- **Full Access/Filtered Stations** - Both filtered (parameters in place to prohibit user from using certain sites based on content) and unfiltered (full access to any site available on the Internet) stations will be available. Parents and legal guardians choose which stations their minor children may use.
- **Privacy** - Library staff does not monitor Internet use. Although a reasonable effort is made to protect privacy, privacy is not guaranteed.

After careful consideration and analyzing public comment on the draft policy, the Library Board of Trustees recommends the adoption of the Internet Use Policy (attached).

POLICY

REFERENCE: None

FISCAL

IMPACT: None

OPTIONS:

- a. Approve the Library Internet Use Policy; or
- b. Amend, modify, or reject the above.

Paso Robles Public Library
Internet Policy

In keeping with its mission of providing opportunities for lifelong learning, the Paso Robles Public Library offers public access to the Internet free of charge.

- ◆ Users must read Internet guidelines and sign an Agreement and Release form before using the Internet. A parent or legal guardian must sign on behalf of a minor child.
- ◆ Both filtered and unfiltered stations will be available. Parents and legal guardians will choose which stations their minor children may use.
- ◆ Library staff does not monitor Internet use. Although a reasonable effort is made to protect privacy, privacy is not guaranteed.

Users are expected to use the Internet responsibly. Misuse may result in revocation of Internet privileges or legal action.

ADOPTED BY THE LIBRARY BOARD OF TRUSTEES
APRIL 22, 1999

Paso Robles Public Library

Internet Use Guidelines

Introduction

In keeping with its mission of providing opportunities for lifelong learning, the Paso Robles Public Library (the "Library") offers public access to the Internet under the following policy and guidelines (the "Policy"). Persons under the age of 18 are here and after referred to as "minors".

What Services are Available?

The Internet offers a vast number of sites and information. A Library card will allow you to use World Wide Web resources. Although the Library will not provide e-mail accounts, you may have e-mail access through the various e-mail providers on the Web. Internet access privileges will be indicated on patrons' Library cards. Reading this Policy and signing the attached Agreement and Release will allow a one time use of the Internet for Library visitors who do not have Library cards.

All Library Internet access is provided on an "as is, as available" basis. The Library does not, and cannot, exercise any control over the information passing through its network or through the Internet. As a user, you acknowledge that the Library's Internet access may be interrupted for a variety of reasons, such as malfunctions and maintenance, although you may not receive advance notice of any interruption in access. Scheduled interruptions will be posted at the Internet workstations.

Access for Adults

Before using the Library's Internet access, adult patrons are required to sign a copy of this Policy at the reference desk indicating they have read and understand all of its terms and conditions and agree to abide by them. Ask about anything you do not understand beforehand. The adult Internet access stations are located near the main reference desk. They provide unfiltered access to the World Wide Web.

Access for Minors

The Library has a long-standing policy of providing age-appropriate material for children. Thus, Internet stations located in the children's reading area are "filtered" workstations. This means they are equipped with software designed to prevent minors from accessing sites which may contain material that is inappropriate for children (e.g., obscene or sexually explicit material). Parents and legal guardians should be aware, however, that no

filtering system is perfect, and that children who use these stations could come into contact with objectionable material.

Minors who wish to use the Internet may do so with the express written permission of a parent or legal guardian. A parent or legal guardian must present the signed permission slip to Library staff in person. Parents and guardians can select the type of Internet access they wish their children to have - filtered or unfiltered. Library staff will guide minors to the workstations their parents or guardians have requested.

Library staff does not monitor children's use of the Internet. Children are less likely to encounter objectionable material and will get more out of the online experience when they have adult supervision. The Library encourages parents and legal guardians to become involved in their children's use of the Internet, including the appropriate use of safety and security techniques.

Parents or legal guardians may request revocation of their child's Internet access privileges at any time by personally presenting the minor's Library card to Library staff. Requests to revoke access will be processed as soon as reasonably possible.

Using the Library Internet

To use the Internet, present your Library card and sign in with Library staff. Reservations for Internet use are limited to two 30 minute sessions per day (which cannot be back-to-back). You may make advance reservations to use the Library's Internet access either by telephone or in person. **If you are more than 5 minutes late for your scheduled session, your reservation will be canceled.** If no reservations are scheduled and no other users are waiting, you may use the Library's Internet computers on a walk-in basis. Internet service ends 15 minutes before the Library closes.

Some Web sites may present controversial, inaccurate, misleading, or offensive material. Use of the Internet is at your own risk. The Library is not responsible for the content and conduct you may encounter, nor for the accuracy or quality of written, audio, graphic, or visual material found on the Internet.

Privacy Issues

Internet stations at the Library are located in public areas. Although the Library has made a reasonable effort to promote privacy by installing privacy screens, privacy cannot be guaranteed. You should be aware that others may be exposed to what is displayed on the sites you have selected.

Not every Web site has a privacy policy, so you are advised to be very careful about giving out personal information over the Internet. If you use e-mail provided by one of the many e-mail services on the Web, you must be sure to log off your e-mail session before leaving the workstation. If you do not log off, you will give subsequent users access to

your e-mail account. The Library does not monitor e-mail usage and therefore is not responsible for the security of your personal e-mail account.

Downloading Information from the Internet

Downloading information to discs is possible. You must provide your own discs. Discs may be available for purchase at the circulation desk. You should be aware that downloaded information may contain computer viruses. The Library is not responsible for any damage to or loss of your data that may occur as a result of using Library computers and/or access to the Internet.

Much of the content on the Internet is owned by others and is protected by copyrights, trademarks, and other intellectual property rights. It is very easy to copy material in cyberspace, but that does not mean it is legal or acceptable to do so. You must not copy, transmit, modify, distribute, or create any derivative works from any content you find on the Internet unless you have the legal right to do so. Making unauthorized copies of protected material found on the Internet may lead to civil or criminal charges and may result in the termination of your Library Internet privileges without advance notification.

Responsible Use of the Internet

Misuse of the Library's Internet computers may result in termination of your Internet privileges. Some examples of misuse include:

- Using a Library Internet workstation you are not authorized to use;
- Accessing another user's e-mail account without permission;
- Using Library computers to gain unauthorized access to any computer system;
- Changing, damaging, or destroying Library equipment, software or data, or installing software onto Library equipment;
- Violating software license agreements or copyright/intellectual property laws;
- Violating computer system integrity, including attempting to bypass security functions, obtain passwords, or alter workstation configurations in any way;
- Running or installing a program intended to damage or place excessive load on the Library computer system (including, but not limited to, computer viruses, Trojan Horses, and worms);
- Masking the identity of a workstation or machine;
- Reading, copying, changing, or deleting another user's files or software without his or her express consent;

Violations may result in the temporary or permanent loss of your Library Internet privileges without advance notification. Violations of local, state, or federal laws will be reported to the appropriate authorities.

Hold Harmless Provision

By using the Library's access to the Internet, you agree to hold the Library harmless for any improper or illegal use of your Internet access. Library cards are to be used only by the person to whom they are issued. Allowing someone else to use your card does not relieve you of any responsibility for improper or illegal use of the card. Upon the Library's request, you agree to defend, indemnify, and hold harmless the Library, the City of Paso Robles, and any of their respective officers, employees or agents, for all injuries, damages, liabilities, claims, and expenses (including attorneys' fees) that arise from a violation of this Library Policy or from your use of the Library's Internet access.

Termination and Cancellation

Either you or the Library may terminate or cancel your Internet privileges at any time. Cancellation is your sole right and remedy with respect to any dispute with the Library regarding use of the Internet. To cancel your Internet privileges, present your Library card to Library staff.

**Application for Library Internet Access - Adults
AGREEMENT AND RELEASE**

I hereby apply to use a computer workstation at the Paso Robles Public Library ("Library") to access the Internet. By signing this agreement, I am expressly acknowledging that I have read and understand the Library's Internet use policy, and that I agree to abide by each of the terms and conditions set forth in the policy.

As consideration for being permitted to use a Library workstation to access the Internet, I hereby agree not to make any sort of claim against the Library, the City of Paso Robles, or any of their respective officers, employees or agents, for injury or damage arising out of my use of a Library workstation to access the Internet. I understand and acknowledge that cancellation of my Library Internet access is my sole right and remedy with respect to any dispute with the Library that arises from a violation of this Library policy or from my use of the Library's Internet access.

As further consideration for being permitted to use a Library workstation to access the Internet, I agree to defend, indemnify, and hold harmless the Library, the City of Paso Robles, and any of their respective officers, employees or agents, from any and all claims, demands, costs, expenses (including reasonable attorneys' fees), judgments, or liability arising out of my use of a Library workstation to access the Internet.

I HAVE CAREFULLY READ BOTH THE LIBRARY'S INTERNET POLICY AND THIS RELEASE, AND AM FULLY AWARE OF THEIR CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY WHICH CONSTITUTES A CONTRACT BETWEEN MYSELF AND THE CITY OF PASO ROBLES, AND I HAVE SIGNED OF MY OWN FREE WILL.

Date:
Printed Name:
Signature:

**Application for Library Internet Access - Minors
AGREEMENT AND RELEASE**

As the parent or guardian of the minor listed below ("the Minor"), I give my permission for the Minor to use a computer workstation at the Paso Robles Public Library ("Library") to access the Internet. By signing this agreement, I am expressly acknowledging that both the Minor and I have read and understand the Library's Internet use policy, and that we agree to abide by each of the terms and conditions set forth in the policy. I further understand and acknowledge that as the parent or guardian of the Minor, I am totally responsible for guiding and controlling the Minor's choices and access to the various materials available on the Internet through the Library's workstations. **I further understand the Library (including its officers, employees, and agents) will NOT monitor or supervise my child's Internet use, and that the Library is not responsible for objectionable material my child may encounter.**

As consideration for the Minor being permitted to use a Library workstation to access the Internet, I hereby agree not to make any sort of claim against the Library, the City of Paso Robles, or any of their respective officers, employees or agents, for injury or damage arising out of my use of a Library workstation to access the Internet. I understand and acknowledge that cancellation of my child's Library Internet access is my sole right and remedy with respect to any dispute with the Library that arises from a violation of this Library policy or from my child's use of the Library's Internet access.

As further consideration for the Minor being permitted to use a Library workstation to access the Internet, I agree on behalf of myself and the Minor to defend, indemnify, and hold harmless the Library, the City of Paso Robles, and any of their respective officers, employees or agents, from any and all claims, demands, costs, expenses (including reasonable attorneys' fees), judgments, or liability arising out of my child's use of a Library workstation to access the Internet.

I HAVE CAREFULLY READ BOTH THE LIBRARY'S INTERNET POLICY AND THIS RELEASE, AND AM FULLY AWARE OF THEIR CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY WHICH CONSTITUTES A CONTRACT BETWEEN MYSELF AND THE CITY OF PASO ROBLES, AND I HAVE SIGNED OF MY OWN FREE WILL.

Date:

Parent's Name:

Parent's Signature:

Minor's Signature:

My permission is for the Minor to have the following access to the Internet (please initial one):

Filtered

Unfiltered