

COMPUTER AND INTERNET USE POLICY

I. General Statements Regarding Internet.

A. Internet Access. The Ferndale Area District Library (“Library”) provides access to a broad range of information resources, including those available through the Internet. Access to the Internet enables the Library to expand its information services significantly. This Policy applies to both the Library owned computers and wireless access available at the Library.

B. Validity of Information. The Internet offers access to a wealth of information and Internet sites including useful ideas, information, and opinions from around the world. However, not all sources on the Internet provide information that is accurate, complete, or legal. Internet Users will need to evaluate for themselves the validity of the information found.

C. Library Does Not Endorse Information on Internet. The Library provides a home site on its public computers pointing to a variety of quality Internet sites. However, because the Internet is a vast and unregulated information network, it also enables access to information, ideas and commentary beyond the confines of the Library’s mission, selection criteria and material selection policies. The provision of access does not mean or imply that the Library endorses or sanctions the content or point of view of any of the information or commentary that may be found on the Internet.

D. View Internet at Own Risk. The Internet may contain information that is controversial, sexually explicit, or offensive. Users are cautioned that ideas, points of view and images can be found on the Internet that are controversial, divergent and/or inflammatory. Because of this and the fact that access points on the Internet can and do change often, rapidly and unpredictably, the Library cannot protect individuals from information and images which they might find offensive, disturbing or inaccurate. Library patrons use the Internet at their own risk. Parents or guardians of minor children are responsible for their child’s use of the Internet through the Library’s connection as stated more fully below.

E. No Liability. The Library assumes no responsibility for any damages, direct or indirect, arising from its connections to the Internet. Users shall use Library computer hardware and software at their own risk. The Library is not responsible for equipment malfunction, loss of data, any damages to the User’s disks, data or electronic transactions of any type. The Library is not responsible for the loss of any portable media or accessories.

II. Nature of the Public Library Setting.

A. Respect Others. Because Library patrons of all ages, backgrounds and sensibilities are using the computers, Library Internet Users are asked to be sensitive to other's values and beliefs when accessing potentially controversial information and images

B. Use with Caution of Risks. Users are cautioned that, because security in an electronic environment such as the Internet cannot be guaranteed, all transactions, files, accounts, and communications are vulnerable to unauthorized access and use. Users should be cautious about using the public computers or public Internet Access for sensitive, private or valuable information or transactions because safety from unauthorized access and use cannot be guaranteed. The Library is not responsible for any damages or loss that results from unauthorized access or use of User's files, accounts, communications or similar documents.

III. Internet Filtering; Children Under 18

A. Internet Filtering – General.

1. *Filtered Access.* To comply with the requirements of the Children's Internet Protection Act ("CIPA") and Michigan's Public Act 212 of 2000 ("PA 212"), all computer terminals are filtered. Further, the Library's wireless access is also filtered. Filtered access means the computer or wireless system has a program installed that is designed to restrict minors¹ from receiving obscene materials or sexually explicit materials that is harmful to minors as defined by PA 212 and visual depictions that are obscene, child pornography or harmful to minors as defined by CIPA. This filtering method is designed to prevent access by minors to inappropriate matter on the Internet. Children under the age of 18 shall only use the Library computers designated and posted for use by minors.

2. *Safety of Minors Regarding E-Mail.* The Library does not filter e-mail or other direct electronic communications. It is the responsibility of the parent or guardian to educate the minor on safety and security and monitor the use of these communications.

3. *Internet Access.* Patrons wishing to access the Library's terminals may log in with a valid library card or guest pass requested from either the Circulation or Reference desk. There are also Express Computers available for sessions up to 15 minutes. The patron must read and accept the Library's Internet Use Policy on screen before accessing the internet.

B. Internet Filtering – Patrons 18 Years of Age or Older.

1. *Disable Filters.* Patrons 18 years of age or older may request to have the filters disabled for bona fide research or other lawful purposes. The Library's wireless access cannot be disabled, so any patron who desires to have the filters disabled must use the Library's computers.

¹ Under Michigan Law, "adults" are 18 years of age or older. CIPA defines an adult as 17 years of age or older. As required by CIPA, 17 year olds may have the filter disabled, but only as specifically described in Section C.3 below.

2. Unblock Sites. Individuals 18 years of age or older who believe an Internet site has been improperly blocked can request that the site be “unblocked.” A request to unblock should be in writing to the Library Director and signed by the person making the request. A decision on the site’s status will be made by the Director, who will prepare a written reply to the individual submitting the form.

C. Internet Filtering – Patrons Under 18 years of Age.

1. Responsibility of Parents and Legal Guardians. As with other materials in the Library’s collection, it is the Library’s Policy that parents or legal guardians are responsible for deciding which library resources are appropriate for their children. The Library urges parents and guardians to discuss Internet use with their children and to monitor their use of this educational tool.

2. Unfiltering Terminals. Minors who are 17 years old may only have the filters (filters used to filter visual depictions of obscenity, child pornography and materials that is deemed harmful to minors as prohibited by CIPA) disabled on a computer used by that patron for (1) bona fide research or other lawful purposes and (2) only if a parent or legal guardian has accompanied them to the Library and is sitting at the computer station or terminal at all times. Patrons under the age of 17 may not ask for the terminal to be unfiltered pursuant to the requirements of CIPA.

3. Unblocking Websites. Patrons under the age of 18 may request in writing that a particular site be unblocked, but only if the site does not include obscene or sexually explicit materials deemed harmful to minors or other materials prohibited by law. The Library Director shall make that determination.

IV. Procedure for Use.

A. Reservation/Time Limits.

1. Users may log on to the public internet computers using a valid library card in good standing from FADL or from libraries which are members of The Library Network (TLN).

2. Guest passes are available for anyone without a valid library card, which will give up to 3 hours of computer time. Computer time may be extended beyond 3 hours at staff’s discretion.

3. Express Computers are available which will provide one free 15- minute session to any user.

B. Availability. The public computers are only available for use by Users if they are not being used for Library purposes, such as classes, staff training or special programs. The Library reserves the right to have first priority of use for Library uses, sponsored events or co-sponsored events. Library patrons should be aware that there are some computers that are limited to only the online public access catalog and are clearly marked. The online public access catalog computers are available on a first come, first served basis.

C. Closing. All computers and printers are shut down ten (15 minutes before the Library closes.

D. Reimbursement for Printing. The User shall reimburse the Library fifteen cents (\$.015) a page for black and white printing and fifty cents (\$.50) a page for color printing. The User shall be responsible for all printing costs, so Users are encouraged to use “print preview” so that they are aware of the number of copies.

E. Staff Assistance. Library staff provides limited assistance for basic start-up procedures. Several circulating books on Web searching are available.

V. Acceptable Use.

All Users of the Library’s Internet connection and terminals are expected to use this resource in a responsible and courteous manner, and to follow all rules and procedures as established in this Policy.

A. Lawful Use. The Library Internet connection and terminals shall be used in a lawful manner. The Library’s Internet and terminals cannot be used for any fraudulent or unlawful purpose prohibited under any applicable federal, state or local law, including, but not limited to, (1) accessing materials that can be classified as obscene or child pornography; (2) gaining unauthorized access to or use of patron information or accounts; (3) engaging in identity theft; (4) engaging in civil rights violations; or (5) monitoring or capturing information regarding individuals and their use of the computers or Internet illegally, such as by using a keylogger.

B. Intellectual Property. Users must respect intellectual property rights and obey the copyright laws of the United States and all other intellectual property rights. Responsibility for any consequences of copyright infringement or violations of other laws or agreements lies with the User. The Library expressly disclaims any liability or responsibility resulting from such use.

C. Use Must Not be Harmful to Minors. Michigan law prohibits Users from allowing minors access to sexually explicit materials harmful to minors. Internet Users shall also not permit any minor to view sexually explicit materials or any other materials deemed harmful to minors.

D. Compliance with Code of Behavior. The same rules apply to the use of the Internet as with the use of any other Library materials. The Library has adopted a Patron Behavior Policy. All Internet Users must comply with the Library’s Patron Behavior Policy, which shall be posted in the Library.

E. Privacy; Unauthorized Access. Users must respect the privacy of others by not misrepresenting oneself as another User; by not attempting to modify or gain access to files, passwords or data belonging to others; and by not hacking or seeking disallowed access to any computer system via the Internet.

F. Time Limit. Failure to leave a computer terminal upon the expiration of the allotted time is a violation of this Policy.

G. Reimbursement. The User shall reimburse the Library fifteen cents (\$0.15) a page for black and white printing and fifty cents (\$0.50) a page for color printing.

H. Personal Software Prohibited. Users shall refrain from use of personal software, the attachment of unauthorized equipment to the Library's computers or networks or the modification of any operating system or network configuration. Users shall also refrain from downloading/uploading files to/from the Library's computers.

I. System Modifications; Hardware Modifications. Users are not permitted to change the security setup, operating systems, the network configuration or any other configuration of any Library computer terminal without authorization. Users are also not permitted to add any hardware or devices to the computer terminal.

J. Damage. The User shall be responsible for repayment of any costs to the Library for damage to the computer terminals or system.

K. Terminal Use. No more than two (2) Users may sit at a terminal. No person may stand behind another person while using a terminal. Upon request, a Library staff member may approve or allow additional Users at a terminal.

L. Personal Information; Unauthorized Release. No patron, including minors, may engage in the unauthorized disclosure, use and dissemination of personal information of any person, including minors.

M. Saving Files and Documents. Patrons who wish to have a permanent record of their work need to save files and documents on their own portable media. Library computers do not allow Users to permanently save documents or personal files to the hard drive.

VI. Violations of Internet Use Policy.

The Library Director or his/her designee may restrict access to Library facilities by (1) terminating or limiting computer, Internet Access or Library facilities; (2) immediately dismissing the patron from the premises; (3) suspending the patron's access to Library facilities for a set period of time; or (4) by denying access to specific services and/or programs pursuant to this Policy. If necessary, the local police may be called to intervene.

A. Incident Reports. Library Staff shall record in writing in the form of an Incident Report any violation of this Policy that resulted in a verbal warning or a suspension of Library privileges. By the end of the day on which the incident occurred, an Incident Report shall be written and forwarded to the Library Director for logging and review. The report should include a detailed description of the incident and physical descriptions in addition to the name of the patron. A copy of the suspension of privileges letter should be attached, if applicable.

B. Violation of the Policy – Suspension of Privileges. Unless otherwise provided in this Policy (see Section C below), the Library shall handle violations as follows:

1. *Initial Violation.* Library patrons observed violating this Policy will be asked to cease the violation with a verbal request. If the patron does not comply with the request, they will be asked to leave the building for the day. If they refuse, police may be called.

2. *Subsequent Violations.* The Library Director or the Director's authorized designee may further limit or revoke the patron's Library privileges if infractions continue. Such limitation or revocation shall be in writing specifying the nature of the violation. Subsequent violations of the same rule shall result in additional suspensions of increasing length.

C. Violations That Affect Safety and Security. Violations involving violations of law (including child pornography and allowing minors to view sexually explicit or other materials deemed harmful to minors), violence, threatening behaviors, sexual or other harassment, vandalism, theft or attempted theft, sexual misconduct or any behavior that threatens the safety and security of staff and/or patrons shall be handled as follows:

1. *Initial Violation.* The police will be called immediately. If the conduct constitutes a violation of local, state or federal law, arrest or criminal prosecution may ensue. Violations of this nature will result in an immediate minimum two-week suspension of Library privileges. The Incident Report shall specify the nature of the violation.

2. *Subsequent Violations.* The police will be called immediately. If the conduct constitutes a violation of local, state, or federal law, arrest or criminal prosecution may ensue. The Library Director or the Director's authorized designee may further limit or revoke the patron's Library privileges in escalating responses, which will be documented in writing. Subsequent violations of the same rule will result in additional suspensions of increasing length.

D. Reinstatement. The patron whose privileges have been limited or revoked shall attend a meeting with the Library Director or the Director's designee to review the Library Patron Behavior Policy before their privileges may be reinstated. The Library Director or the Director's designee may attach conditions to such reinstatement and shall provide written notification of those conditions and the duration of the conditions.

E. Civil or Criminal Prosecution. Illegal acts involving the Library's Internet Access service may be subject to civil or criminal prosecution.

VII. Right of Appeal.

Patrons may appeal a decision to (1) limit or revoke privileges or (2) attach conditions to reinstatement by sending a written appeal to the Library Board within ten (10) working days of the date the privileges were revoked or limited or the written statement of conditions was provided, whichever is applicable. The appeal should be sent to the President of the Library Board. The decision of the Library Board is final.

VIII. Staff Assistance.

Staff may assist Library Users in getting started on the Internet. However, the Library cannot guarantee that Internet-trained staff will be available to assist Users at all times the Library is open. Because of the many different applications available on the Internet, staff may not be able to provide specialized or technical knowledge about a particular application. Users who need training on Library software or digital collections should request an appointment.

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