Somerset County Library System – Policy Manual

CHAPTER IV – OPERATING POLICIES

IX - Internet, Wireless Network and Computer Use Policy

A. Overview

   a. SCLSNJ provides computers, WiFi connectivity and Internet access to the residents of Somerset County as a fundamental 21st century library service in its mission "to connect, to explore, to share and to discover". Internet access continues to be a prerequisite to information access as information continues to shift from print to digital formats. The Library's collection includes a growing collection of streaming and downloadable databases, ebooks, audiobooks, newspapers and magazines, music and movies, and other electronic media and resources.

   b. SCLSNJ is committed to the encouragement and protection of the free flow of information and ideas regarding digital materials, resources and services in the same manner as with its print materials and physical media such as DVDs and compact discs (CDs). Because this is the "public's library", all library materials, resources and services, regardless of format, are intended for use by a diverse population with varied tastes and needs. The ultimate choice of information and materials selected from the Library's collection by users is an individual matter. Parents and legal guardians bear the responsibility for the reading, viewing, and listening choices of their underage children whether the material format is print, physical media or digital.

   c. SCLSNJ policies concerning Internet, Wireless Network and Computer Use and Rules of Conduct apply to all computer users.

   d. Access to computers and the Internet is available to all library customers. However, this service may be limited any time such use is not consistent with the policies of SCLSNJ. Parents and legal guardians for people under 17 years of age assume responsibility for their children's computer and Internet use by signing their child's library card application.

B. Definitions

   a. The term "computer" in this policy may refer to, and includes, hardware and associated peripheral equipment such as Chrome devices, tablets, laptops, eReaders, smartphones, desktops, printers, scanners, flash drives, or any other equipment that may be attached to a computer or network.

   b. The term "Internet access" may refer to Internet service provided by SCLSNJ through the Library's networks, computers or wireless services, or to Internet service that people may bring with them to the library (for example, a smartphone with access to the Internet from a telecommunications provider).

C. Disclaimer

a. People access the SCLSNJ's computer hardware, software and documentation at their own risk. SCLSNJ is not responsible for equipment malfunction, loss of data, or any damages to users' equipment, data, including electronic transactions of any type which are related to the public use of library computer resources.
b. SCLSNJ shall have no liability for direct, indirect or consequential damages related to the use of information accessed through the library's Internet service or for damages related to the operation of, or failure of, the filtering software, or for its circumvention by users.
c. The availability of information via the library's Internet service does not constitute endorsement of the content of that information by the library.
d. SCLSNJ is not responsible for damage to users' discs, flash drives, computers, e-readers or any other equipment or for any loss of data, damage or liability that may occur from use of the library's computers or Internet service.

D. Computer Use Records
a. SCLSNJ follows the State of New Jersey N.J.S.A. 18A:73-43.2 Confidentiality of Library Users' Records law and federal law regarding privacy of library users' records and information.
b. The Library will release library records, including those relating to Internet usage, only as required or authorized by law.
c. It is SCLSNJ's usual practice to erase all customer use records, except those essential for library business operations. The library does not, as part of its regular practice, retrieve any information, including websites visited, passwords, credit card numbers, or any other information that has been entered.
d. When a computer session is ended, all information about that session is ordinarily deleted. Computer use records are not retained.

E. Rules and Responsibilities for the Public
a. Use of SCLSNJ's network, computers, and Internet access for the transmission, dissemination, and/or duplication of information must comply with federal and state laws. SCLSNJ expects all users to comply with such laws.
b. Users will automatically be asked to read and accept the SCLSNJ *Computer & Internet Use Policy* prior to accessing the Internet when using the Library's computers, or their own device when connecting to the Library's wireless service. Access will be denied unless the rules and regulations stated in the Library's Computer & Internet Use Policy are accepted.
c. People who bring their own computers and Internet access to the library must also abide by the SCLSNJ *Internet, Wireless Network and Computer Use Policy* while in the Library or on the grounds of the Library.
d. Computer users will also refrain from any activity that unreasonably interferes with Library customers' comfort, safety, use or quiet and peaceful enjoyment of the library, including but not limited to:
    i. Display of obscenity in violation of the law as per NJSA 2C:34-4 Public Communication of Obscenity;
    ii. Illegal activities;
    iii. Harassment of other users or violation of their privacy;

iv. Libeling, slandering or maliciously offending other users;
v. Violation of copyright laws or software licensing agreements;
vi. Attempting to hack, crash, degrade performance or gain unauthorized access to SCLSNJ's systems or to other computer systems or networks;
vii. Damaging equipment, software or data belonging to SCLSNJ or to other users;
viii. Making any loud or unreasonable noise, or other disturbance, including disruptive use of personal devices;
ix. Tampering with the library's filtering or software;
x. Using the library card number of another person to access the computer system;
xi. Manipulating SCLSNJ's network or computer systems to override established time limits for computer use;
xii. Refusing to leave a computer after being suspended from computer use, or continuing to create a disturbance while using SCLSNJ equipment.

e. Computer Users acknowledge that:
   i. They use the Library's computers and Internet access at their own risk;
   ii. SCLSNJ does not assume responsibility for the content of material on the Internet;
   iii. The viewing and use of materials on the Internet is the responsibility of each individual user, and the responsibility of parents or guardians for their children under 17;
   iv. All Internet computers are filtered for content but filtering does not guarantee that offensive sites will be blocked;
   v. Categories that are filtered include obscenity, pornography, adult entertainment and illegal activities.

f. Violations of SCLSNJ's Computer Use & Internet Policy may result in the loss of Internet and/or library privileges. Illegal use of the Library's computers also may be subject to prosecution by local, state or federal authorities.

g. Examples of uses that violate the Library's Internet use policy:
   i. Uses that violate the law or encourage others to violate the law.
   ii. Uses that cause harm to others or damage to their property.
   iii. Uses that involve viewing or accessing inappropriate sites on the Internet that provides obscene or pornographic material.
   iv. Uses that compromise the safety and security of minors when using e-mail, chat rooms and other forms of direct electronic communications.
   v. Uses that intrude upon the rights of others.

F. Internet Filtering
a. SCLSNJ uses Internet filtering to meet the requirements of the federal Children's Internet Protection Act (CIPA), to support the Library's collection development policy, and to provide a welcoming and comfortable environment for library customers of all ages as defined in the library's Rules of Conduct and to promote a workplace free from harassment, while maintaining its commitment to library customers' diverse interests and individual rights.

b. Internet filtering software is designed to block images and videos that depict pornography, child pornography, or obscenity. No Internet filtering software is completely fail proof. Internet filters may fail to block access to illegal or objectionable material or may falsely block material that is otherwise appropriate in a public library setting. The filters on designated computers can be turned off by Library staff upon the request of a person 17 or older. The filters on computers reserved for the use by those under 17 years of age cannot be turned off.

c. Customers may submit a *Request for Reconsideration of a Website* to block or unblock a specific site. SCLSNJ will respond to questions and concerns regarding the filter's accuracy by communicating with the filtering software vendor towards improving its product.

d. SCLSNJ does not filter social networking sites because they cannot be reliably reviewed by filtering software. The content of social networking sites has not been found to meet the library's criteria for filtering. Most social networking site vendors have policies regarding appropriate use and display of content.

e. SCLSNJ shall have no liability for direct, indirect or consequential damages related to the use of information accessed through the Library's computers or Internet service or for damages related to the operation of, or failure of, the filtering software, or for its circumvention by users.

f. The availability of information via the Library's Internet service does not constitute endorsement of the content of that information by SCLSNJ.

G. Children's Internet Protection Act (CIPA) Compliance

a. SCLSNJ supports and encourages parents and legal guardians to determine the proper use of library resources, materials and services for their underage children. As with all other library materials and resources, parents are ultimately responsible for their children's access to the Internet. Any restriction of children to access the Internet is the responsibility of their parent or legal guardian and not that of the Library staff.

b. With respect to access by minors (i.e. persons younger than 17) to inappropriate material on the Internet, including material that is harmful to minors, SCLSNJ:
   i. Has a technology protection measure, filter, on all Library Internet stations that protects access through computers to visual depictions that are, obscene, constitute child pornography, or are harmful to minors (see definition of harmful to minors below), said filters are operational during the use of any Library computers by minors.
   ii. Encourages staff to guide minors away from materials that may be inappropriate.

c. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that, taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; depicts, describes, or represents in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and taken as a whole, lacks serious, artistic, political, or scientific value as to minors.

H. Collection Development
   a. While SCLSNJ uses Internet filtering to support its Collection Development Policy, the Library acknowledges that the Internet is an unregulated medium and it is not possible for it to provide the same selection criteria to the Internet as is used for other library materials. Not all sources provide information that is accurate, complete or current, and some information may be considered offensive or inappropriate for certain age groups. No one, including the Library, can control information available over the Internet.
   b. SCLSNJ shall have no liability for direct, indirect or consequential damages related to the use of information accessed through the library's Internet service or for damages related to the operation of, or failure of, the filtering software, or for its circumvention by users.
   c. The availability of information via the Library's Internet service does not constitute endorsement of the content of that information by the Library. The Library also does not guarantee the accuracy or authenticity of information accessed over the Internet. It is left to each Library customer, and to parents and legal guardians of underage children, to determine what information is appropriate.
   d. Library staff will assist customers in learning how to access the Internet and find information on the Internet; however, Library staff does not monitor or supervise the Internet.

I. Library Rules of Conduct
In accordance with SCLSNJ's Rules of Conduct, the display of obscene material is not permitted in the Library under NJSA 2C:34-4 Public Communication of Obscenity. Such conduct may create an intimidating, hostile or offensive environment and is considered disruptive behavior.

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