

Washington Public Library
20 Carlton Avenue
Washington, NJ 07882

Internet Safety and Computer Acceptable Use Policy

Failure to comply with this policy and its procedures will result in the forfeiture of the library user's access to the computers and internet.

1. Liability Disclaimer

The user assumes all known or unknown responsibility for any damages, direct or indirect, arising from its connections to the Internet. The library makes no guarantee, either expressed or implied, with respect to the quality or content of the information available on the Internet or the Internet infrastructure on a macro and/or micro basis. Not all the information available via the Internet is accurate, current or complete. Users are encouraged to be good information consumers by evaluating the validity of information accessed via the Internet.

The library makes no guarantees about and is not responsible for the security of information transmitted and received during your Internet sessions; therefore, users should be aware that transactions and files could become public.

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

Users may not use the library's Internet access for any unlawful activity or place any material on the Internet which would be unlawful.

It is the exclusive responsibility of individual users to respect copyright laws and licensing agreements. In the case of a minor or an individual under the supervision of a parent or guardian, it shall also be the responsibility of the parent or guardian.

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Consistent with the mission and professional principles of public librarianship, this Internet Use Policy affirms the safeguarding of all library resources to the fullest extent guaranteed under the Constitution of the United States of America and the NJ State Constitution (1947).

Since the library computers on which the public can access the Internet are located in public areas that must be shared by library users of all ages, backgrounds, and sensibilities, individuals are asked to consider this when accessing information. Library staff cannot consistently and effectively monitor the public's use of the Internet; however, the library reserves the right to ask individuals to discontinue the display of information, which is not constitutionally protected and/or prohibited by a recognized constitutionally valid law. The library reserves the right to terminate an Internet session that disrupts library services and/or public safety.

2. Patron Confidentiality

- (a) The library urges patrons to protect personal information from the view of others, such as name, address, social security number, or account numbers and/or storing same within library property.
- (b) The library discourages patrons from entering any personal information into websites or emails if the patron is not absolutely sure the website will meet the patron's individual expectations of privacy or confidentiality.
- (c) The library is not responsible for retaining and/or safeguarding data inputted and/or outputted from any library provided electronic device.
- (d) The Library cautions all patrons prior to utilizing the library's Internet infrastructure that the risk exists that any and all interaction a patron has with the library's Internet infrastructure may become accessible to the Library Staff and/or a 3rd party through legal process. The Library undertakes absolutely no responsibility to expend any effort and / or funds to avoid complying with any legal process (including, but not

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limited to Civil Subpoena, Grand Jury Subpoena, Criminal Defense Subpoena, Legislative Subpoena, Administrative Agency Subpoena, etc., and, of course, a search warrant) regardless of its facial and / or actual validity.

3. Internet Safety for Minors

The library filters internet content based on the Children's Internet Protection Act (CIPA) that was signed into law on December 21, 2000 and went into effect April 20, 2001 to prevent minors from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors.

[The term "harmful to minors" is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]) and interpretative law, as meaning 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;
- taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.]

Although we attempt to screen minors (Minors are defined in this policy as children and young people under the age of 18 years.) from harmful content by filtering, no technology protection measure is one hundred percent effective. Therefore, parents or guardians are exclusively responsible for the Internet content their children are exposed to at the library. Unaccompanied minors use of the Library's Internet infrastructure shall be subject to the Library's rights and discretion under the Doctrine of Parens Patriae. This may include content neutral prohibition of use.

The library affirms, among other principles, the principle from the American Library Association's *Library Bill of Rights in Cyberspace*:

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- Responsibility for, and any restriction of, a child's use of the Internet rests solely with his or her parents or legal guardians.

4. Procedures relating to patron access to Internet

The Library will grant a revocable license of up to one-half hour of permitted access per patron per day. Further time may be granted if there are no other patrons waiting. Staff will assist library users to access the Internet. The Library provides Internet technical assistance to patrons on an exclusively at will basis only.

Staff will not intentionally monitor an individual's Internet use, except for duration of use in order to ensure equitable opportunity of access to all users. However, staff may directly and/or indirectly take reasonable measures under the circumstances to terminate a patron's use of the Library's Internet infrastructure for the purposes of enforcing one or more policies and/or laws or perform maintenance or improvements. If disruptive or illegal behavior results from said individual's use, staff will take appropriate steps to ensure the welfare of themselves and the library's other patrons. These may include suspension of the individual's Internet privileges for a specified period of time.

The library reserves the right to use filtering software on its public computers. Anyone 18 years or older and/or a parent or legal guardian may request to have the filtering disabled for bonafide research or lawful purposes by asking staff at the circulation desk to do so. The decision whether or not to do so shall be the sole discretion of the Library Staff.

The Library retains the right to reserve computers for special purposes.

5. Prohibited Uses of Computers and Library Infrastructure

The following is a non-exhaustive itemization of uses that are considered prohibited and which constitute a violation of this policy and are as follows:

1. *Uses that violate the law or encourage others to violate the law.* Transmitting of offensive or harassing messages; offering for sale or use any substance the

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possession or use of which is prohibited by law; viewing, transmitting or downloading pornographic materials or materials that encourage others to violate the law; downloading or transmitting confidential, trade secret information, or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, users should assume that all materials are protected unless there is explicit permission on the materials to use them.

2. *Uses that cause harm to others or damage to their property.* Engaging in defamation (harming another's reputation by lies); uploading a worm, virus, "trojan horse," "time bomb" or other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.

3. *Uses that jeopardize the security of access of the computer network or other networks on the Internet.* Disclosing or sharing the user's password with others; impersonating another user; using one's own software programs on the library's computers; altering the Library's computer settings; damaging or modifying computer equipment or software.

4. *Uses that compromise the safety and security of minors when using e-mail, chat rooms and other forms of direct electronic communications:* Minors under age 18: Giving others private information about one's self or others, including credit card numbers and social security numbers; arranging a face-to-face meeting with someone one has "met" on the computer network or Internet without a parent's permission.

5. *Uses that Violate Confidentiality of Information:* The New Jersey Confidentiality of Library Records Law (NJSA 18A:73-43.2) prohibits unauthorized disclosure, use, or dissemination of personal information regarding Library users, including minors. Personally identifiable information about users may not be disclosed or used in any way, except to law enforcement authorities as provided in the law. Users should be aware, however, that due to the technical difficulties involved in providing absolute security, transactions and files may become public.

6. Wireless Access

Any person intentionally accessing and/or attempting to wirelessly access the Library internet infrastructure for the purposes of doing so in furtherance the avoidance of any Library policy shall be deemed a trespasser for all lawful purposes. The Washington Public Library provides filtered wireless Internet

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access. Individuals and/or patrons utilizing the wireless connections agree to comply with all provisions of the current Washington Public Library Policies. Individuals wishing to use the Library's wireless Internet access must supply their own fully operational portable device. The Library does not provide portable devices for library visitors to use and does not provide technical assistance to individuals using their own portable device.

Typically, the Library's wireless Internet access is unencrypted. Use and/or attempted use of the wireless connection is at the individual's own risk. By using or attempting to use this connection, all users and attempted users irrevocably assume any and all risks (known and unknown) of all natures which is/are related to connecting any device to an Internet infrastructure. Users and attempted users also irrevocably agree to release, defend, indemnify and/or hold the Library harmless of all claims and/or losses of all natures, their use and/or attempted use at the Library's Internet Infrastructure.

Individuals acknowledge that security errors and hacking are an inherent risk associated with any wireless service. For that reason, individuals expressly agree that they knowingly assume such a risk, and further agree to hold the Library harmless from any claim or loss arising out of, or related to, any such instance of hacking or other unauthorized use of access into the individual's computer.

The Library accepts no responsibility regarding the ability of the individual-owned equipment to connect to the wireless network. Library staff will not change settings on individual equipment.

(Portions on this policy have been adopted from the NJ State Library Internet Safety and Computer Use Policy:

https://www.njstatelib.org/research_library/services_for/internet_safety_and_computer_use_policy/)

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