# CHULA VISTA PUBLIC LIBRARY
## Policy and Procedure

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| **Title:** | **Internet and Wireless Use** |
| **Policy Number:** | **LIB-008** |
| **Approved by:** | **City Attorney, Library Director, Library Board** |
| **Date:** | **March 19, 2008** |

## PURPOSE:

The mission of the Chula Vista Public Library is to increase knowledge and enrich lives within the community.   As part of our mission, the Library provides public access to the Internet in order to connect people equitably to responsive programs, services and resources that reflect the ideals of a democratic society.   This policy outlines why and how Internet access is provided and how Library guests may use it.    Guests using Library computers are expected to comply with this Policy, the Library's Rules of Conduct (Library Administrative Policy LIB-005), Computer Use Guidelines (Library Administrative Policy LIB-007), and all federal, state and local laws, including the protection of copyright and intellectual property rights and telecommunications.

## POLICY:

The policy is divided into the following sections

**Internet Use**

Provision of access to the Internet does not mean or imply that the library endorses or sanctions the content or point of view of any of the information or commentary found on the Internet. Some information accessed on the Internet may be controversial and not meet the criteria in the library's Collection Development Policy.

It is the policy of the Chula Vista Public Library to comply with the Children's Internet Protection Act (CIPA).  Specifically, the library will provide "technology protection measures" on all of its computers and wireless Internet to screen out sites which may reasonably be construed as obscene, as that term is defined in section 1460 of title 18, United States Code; child pornography, as that term is defined in section 2256 of title 18, United States Code; or harmful to minors as defined in section 1703, Pub. L. 106-544 (see definitions at the end of this policy)

Users 17 years of age and older may request that a staff member disable the filtering software on our wired computers for research purposes. The software will not be disabled for

users 16 and under for any reason.  Computers in the Children's and Young Adult areas will only offer filtered Internet access to all guests. Filtering software is not a substitute for parental supervision. Parents are always responsible for their children's use of the Internet anywhere in the Library. The commercially produced filtering software available on Library Internet computers may assist in blocking some sites that might be considered offensive or unsuitable for children, but does not eliminate the possibility of accessing offensive material. While Library staff will make an effort to monitor usage of its online computer network, parents or guardians, and not the Library, are solely responsible for regulating their children's use of the Internet and for the information selected and/or accessed by their children.  No duty to protect a child from harm is created by the terms of this policy.  The Library strongly encourages parents or legal guardians to actively supervise their children's Internet use and to provide them with guidelines about acceptable use.

## Rules Governing Use:

All Internet users are expected to use this resource in a manner consistent with the purposes for which it is provided and according to the guidelines established by the library.  Responsible use of the Internet includes:

- Guests are expected to use Library computers in a responsible and courteous manner, and in accordance with the Chula Vista Public Library Conduct Policy.
- Guests are expected to be respectful of the rights and privacy of others.
- No more than two people may use a computer at one time.
- To reserve a computer, the Library requires that all guests use their own unique Chula Vista Library card. Reservable computers require a PIN (Personal Identification Number); Library staff can assist in creating a PIN.
- Reservable computers cannot accept any outside software or executables.
- Virus protection installed on all Library computers may prevent a file from opening. Guests should be aware that information or software downloaded from the Internet may contain viruses and/or may be copyright protected.
- Guests 17 and over may request unfiltered Internet access on our wired computers by providing proof of age.
- The Library is not responsible for any damages, direct or indirect, arising from use of Library computers or errors in formatting or selection of files to download.
- There is a fee for printing. Library printers cannot accept any special paper such as resume, stationary or poster paper. It is recommended that guests use the "print preview" function before printing.
- Library computers will be shut off 15 minutes before the library closes.  Users are notified before their session ends.  Guests are encouraged to save their work.

## Prohibited Internet Use:

All guests using the Library's Internet shall not:

- Commit or attempt to commit any willful act involving the use of the network which disrupts the operation of the network within the Library or any network connected to the Internet, including the use or attempted use or possession of computer viruses or so-called hacking or other unlawful activities on line.

- Attempt to use an account owned by another user.
- Misrepresent oneself on the Internet with the intention to commit harm, fraud, or as a source of an electronic communication.
- Illegally copy copyright-protected material or violate any software license agreements.
- Violate or attempt to violate any aspect of computer system security.
- Engage in activity that overburdens library resources including bandwidth, file space, and printers;
- Change any hardware or software configuration/settings of the Library's computers.
- Disable or attempt to disable filtering software (see Rules Governing Use).
- Access, transmit or retransmit material, which is used in the commission of a crime.
- Access, transmit or retransmit any information, which is harmful to minors as that phrase is defined in this policy.
- Transmit e-mail through an anonymous re-mailer.

All guests shall immediately notify a Library staff member if he or she has identified a possible security problem.

Employees of the City of Chula Vista Library are authorized to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act. Furthermore, if a guest fails to comply with any part of this policy, Library staff may deny guests use of the Library's computer systems or other services, and if appropriate, recommend criminal prosecution. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Library Director or designated representatives**.**

**Wireless Internet**

Chula Vista Public Library offers free wireless "WiFi" access to the Internet. The Library's wireless connection is unencrypted and minimally filtered. By using this connection, guests agree to abide by the Internet Use section of this policy.

The Internet is a public communications network. Users acknowledge that security errors and hacking are an inherent risk associated with any wireless Internet service, and agree that they knowingly assume such 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 or access into the guest's computer. Use of the wireless Internet is at guests' discretion.

**Limitations:**

- Response speed, bandwidth, the ability to connect to the Wireless Internet network, and continuity of connection are not guaranteed.
- Guests may connect their wireless devices to any available electrical power outlet provided the cord(s) do not create a hazard. Library staff shall have the authority to determine what constitutes a hazard. Guests may not unplug library equipment.

- Guests using laptop computers, PDAs, or other devices may not connect to the library's computer network or to library computers by means of a wire or cable except in the case of connecting to the designated Data Transfer PCs.
- Library printers are not available to users of Wireless Internet access.
- Creating a Service Set Identifier (SSID) access point is not permitted, and any that are created will be blocked.
- Wireless Internet access will be shut off 15 minutes before the library closes.
- Guests are expected to use their own computers and personal devices in a responsible and courteous manner, and in accordance with the Chula Vista Public Library Rules of Conduct Policy.

Library staff reserves the right to deny guests use of wireless Internet access if they fail to comply with any part of this policy.

## DISCUSSION:

In this section are definitions of terms and phrases found in the policy and recommended guidelines on minors use of the Internet.
**Definitions**

*Technology Protection Measure*: The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

- obscene, as that term is defined in section 1460 of title 18, United States Code;
- child pornography, as that term is defined in section 2256 of title 18, United States Code; or
- harmful to minors, as defined in section 1703, Pub. L. 106-544

*Obscene*: The term "obscene" is a highly subjective reference to material or acts, which display or describe sexual activity in a manner appealing only to "prurient interest," with no legitimate artistic, literary or scientific purpose.

*Child Pornography*: The term "child pornography" means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether:

- made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:
- the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;
- such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or
- such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct

*Harmful To Minors*: 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 literary, artistic, political, or scientific value as to minors.

**Guidelines on Internet Safety for Minors**

Internet stations outside the children's and young adult areas are equipped with privacy screens to enable guests to access information privately. Passersby should respect the privacy of those using computers and recognize that some materials viewed by guests may be offensive to others. Guests 17 and over will be assigned Internet access with minimal filtering levels by default but may request unfiltered access by providing proof of age.

Parents or legal guardians must assume responsibility for deciding which library resources are appropriate for their own children. Children who use the Internet unsupervised may be exposed to inappropriate or disturbing information and images. It is the right and responsibility of parents and legal guardians to guide their own children's usage of library resources in accordance with individual family beliefs.

To assist parents, the Library has available "Child Safety on the Information Highway" pamphlets published by the National Center for Missing and Exploited Children. The pamphlet includes guidelines for parents on Internet safety. Parents are encouraged to review this information with their children and visit the NetSmartz ([www.netsmartz.org](http://www.netsmartz.org)) or the National Center for Missing and Exploited Children ([www.missingkids.com](http://www.missingkids.com)) websites for information and training on keeping kids and teens safer on the Internet.

When using the Library's computers and Internet access, it is recommended that children under the age of 17 adhere to the following guidelines:

- Do not reveal your identity in any way. This includes your name, personal address, phone number, location, city, or any other information that may give others information to identify you in any way.
- Never give your password to anyone for any reason.
- Do not reveal the identity of others. This includes their name, personal address, phone number, location, city, or any other information that may give anyone information to identify others in any way.
- Exercise caution when using a messenger service or program (standalone or web-based), Internet Relay Chat, chat room, or other forms of direct electronic communication.

- Immediately tell a parent, guardian, or Library staff member if you come across information or individuals that make you feel uncomfortable in any way.
- Never respond to messages that are inappropriate, threatening or uncomfortable.
- Never agree to get together or meet with anyone you meet online without permission of your parent or guardian.
- Never send photographs or anything else without permission of a parent or guardian.
- Never use, or accept, abusive language, threats, or harassment.  If you feel threatened by another person's speech or behavior immediately notify your parent, guardian or Library staff member.

9/6/12
Updated  policy to reflect changes in wireless Internet access: To accommodate future use of Library-provided Chromebooks and continue to be CIPA compliant wireless access will be minimally filtered.

Updated policy to reflect changes in equipment: The Library's **D**ata **T**ransfer **P**ersonal **C**omputer became unnecessary and was removed from the branches.