



**CROWELL**  
**PUBLIC LIBRARY**  
City of San Marino  
Community Services Department

## Computer and Internet Use Policy

Revised May 2010

The Crowell Public Library offers Internet access as a service to help fulfill its mission of providing equal access to educational, recreational and cultural materials and services. Internet usage is free to patrons with a current library card; guest passes are also available. While the Internet offers unprecedented opportunities, it is an unregulated medium on which any person, institution, or group can post data, and the Internet contains controversial and sexual materials.

All computer users are required to read and agree to comply with the Library's Internet Use Policy. A parent or guardian of a minor is required to read and agree that the minor will comply with the Library's Internet Use Policy before the minor can use Library computers to access the Internet.

The Library assumes no responsibility for the content, accuracy, or quality of the information or images sent, retrieved, or viewed. The Library does not limit access to sites on the Internet by adults or censor information that some adults may find offensive. The Library does filter content on the computers available to children and young adults. This filtering is intended to prevent access to visual depictions that are deemed obscene, child pornography, and other material deemed harmful to minors, as defined under California and federal law. However, no filtering software can control access to all materials, and children and young adults might still receive or view materials they or their parent or guardian deems inappropriate. Parents should supervise their children's Internet sessions and assume responsibility for deciding what Library resources are appropriate for the minors and young adults under their care. It is both the right and responsibility of parents and legal guardians to guide their own children's use of Library resources in accordance with individual family beliefs. The computers available to children and young adults under 18 years of age are located in the children's and Young Adult areas of the library.

The user is ultimately responsible for selecting which sites to visit but should be aware that others may be involuntarily exposed to what is displayed. Users must respect the privacy of others and adhere to the Library's Standards of Behavior. Violation of this Policy or the Library's Standards of Behavior may result in the loss of some or all Library privileges.

The following is a list of some of the federal and state laws to which persons using the Internet at the library must adhere:

- **Material Harmful to Minors**

Computers are located in public areas where minors may be present. Under California Penal Code Section 313 et seq., it is unlawful for any person who, with knowledge that a person is a minor, or who fails to exercise reasonable care in ascertaining the true age of a minor, knowingly distributes, sends, causes to be sent, exhibits, or offers to distribute or exhibit by any means, any harmful matter to the minor. Displaying such materials on a computer screen when children and young adults are present would violate this statute.

- **Child Pornography, Sexual Exploitation of Children and Obscene Matter**

California Penal Code Section 311.3 prohibits the sexual exploitation of a child. "A person is guilty of sexual exploitation of a child if he or she knowingly ...duplicates, prints or exchanges any representation of information, data or image, ...that depicts a person under the age of 18 years engaged in an act of sexual conduct." Accessing or sending such materials with Library computers could violate this statute.

Child pornography is defined under federal law in Section 2256 of Title 18 of the United States Code.

It is a violation of federal law to knowingly receive visual depictions of minors engaged in sexually explicit conduct. Any person who does so is subject to federal criminal prosecution under 18 USC Section 2252.

"Obscene matter" is defined in California Penal Code Section 311; and Section 1460 of Title 18 of the United States Code. It is unlawful under federal law to transmit any obscene material or child pornography across the Internet. 18 U.S.C. Section 1460, et seq.

It is unlawful to knowingly transmit any obscene material or child pornography across the Internet to a recipient who is under the age of 18. 47 U.S.C. §223(a)(1)(B).

Should Library staff observe the occurrence of any activity that violates federal or state law with regard to obscene matter, child pornography, or matter harmful to minors, law enforcement will be alerted.

- **Copyright**

Materials obtained or copied from the Internet may be subject to laws which govern the making of reproductions of copyrighted works (Title 17 U.S. Code). 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. The user will be responsible for the consequences of copyright infringement by the user.

- **Tampering With Equipment**

It is illegal for users to physically or electronically modify library computer equipment, or to tamper with hardware or software (California Penal Code, Section 502 et. seq.) The user may be liable for damage to the equipment caused by the user.

- **Confidentiality**

The Library maintains confidentiality of patron usage records for the Internet as it does for all materials. However, such confidentiality is subject to the requirements of federal and state law, and the Library will cooperate with law enforcement officials by providing access to patron records under the terms of the California Public Records Act (California Government Code, Title I, Div. 7, Chapter 3.5, Section 6267) and other applicable State or Federal statutes.

- **Hostile Work Environment**

Displaying explicit, graphic or obscene images on Library computers that can be viewed by Library staff may create a hostile workplace environment and may constitute a violation of Title VII of the Civil Rights Act of 1964 and the California Fair Employment and Housing Act, both of which prohibit sexual harassment and other forms of sex discrimination in the workplace.

- **Other Unacceptable Uses**

Examples of other unacceptable uses that may result in revocation of a user's privileges to use Library computers include but are not limited to:

- Any practices or uses that violate any other law.
- Uploading a worm, virus, "trojan horse," "time bomb" or other harmful program or materials or participating in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.
- Uses that jeopardize the security of access of the computer network or other networks on the Internet, including use of the Library's computers to disclose or share the user's password with others; impersonate another user; use one's own software programs on the Library's computers; alter the Library's computer settings; or damage or modify computer equipment or software.
- Uses that compromise the safety and security of any person who uses e-mail, chat rooms and other forms of direct electronic communications, such as giving others private information about one's self or others, including credit card numbers and social security number; or permitting another user to use one's own account or password to access the computer network and Internet.

- **Disclaimers**

Software and information downloaded from any source, including the Internet, may contain computer viruses; users are advised to utilize virus-checking software on their home computers. The Library is not responsible for damage to users' disks or computers or for any loss of data, damage or liability that may occur from use of the Library's computers.

### **Use Guidelines**

- Use of Library computers is offered in one-hour segments on a first come, first served basis. Users may log in at the same computer for an additional hour if no other patron is waiting.
- Reservations can be made in person for the desktop computers at the computer reservation station.
- Access to the Library computers and wireless network requires a library card barcode and pin number (the last four digits of phone number).
- Users are responsible for configuring their own equipment. Library staff does not provide technical assistance for personal computers and/or software.
- The Library is not responsible for any data (e.g. credit card numbers) transmitted across any of its networks.
- Printing is available from the desktop computers; wireless printing is not currently available.
- Excessive fines and fees, as established in the Circulation and Fines Policy, will preclude use of library computers.

### **Violations**

The user's access to the Library's computer network and Internet is a privilege, not a right. Failure to comply with this Policy and its procedures will result in the forfeiture of the user's right to use the Library's computers. Library staff will contact law enforcement authorities if the Library staff believes that a user has violated federal or state law.

Approved by the Library Board of Trustees

May 17, 2010