

Boyle County Public Library

Internet Access and Safety Policy

1. **Access.** The Library offers access to the Internet to everyone under the provisions of this policy.
2. **User Agreement.** All users must sign a User Agreement form. A parent or guardian must sign on behalf of anyone under 18 years of age.
3. **Charges.** There will be no charge for access to the Internet; however, patrons will be charged for each page printed.
4. **Scheduling.** Patrons will be allowed access to the Internet on a walk-in basis during the Library's normal operation hours. Reservations for time blocks are possible. The Library may limit a user's time when others are waiting.
5. **Safety.**
 - A. **Definitions.**
 1. **"Inappropriate matter"** means visual depictions that are obscene, child pornography, or harmful to minors.
 2. **"Obscene"** means obscene under the following three-part test set out by the United States Supreme Court in *Miller v. California*, 413 U.S. 15 (1973):
 - (a) whether the average person, applying contemporary community standards, would find that the work (taken as a whole) appeals to the "prurient" interest;
 - (b) whether the work depicts sexual conduct in a patently offensive way; and
 - (c) whether the work (taken as a whole) lacks serious literary, artistic, political, or scientific value.
 3. **"Child pornography"** means, as provided in 18 U.S.C. 1460, 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:
 - (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

- (b) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;
 - (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or
 - (d) 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.
4. **“Harmful to minors”** means, as provided in the Children’s Internet Protection Act (CIPA), any picture, image, graphic image file, or other visual depiction that:
- (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - (b) 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
 - (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

B. Access by minors to inappropriate matter.

1. Internet filtering software will be applied to all computers with Internet access, which shall be set or adjusted to filter out or block access to inappropriate matter as defined in this policy but not other matter.
2. The User Agreement shall warn that such internet filtering software is not completely effective in blocking access to inappropriate matter, and that there is still a risk that inappropriate or otherwise offensive matter may be accessed. The User Agreement shall provide that parents and guardians signing on behalf of users under 18 years of age agree to assume this risk and to be responsible for providing guidance in and setting and conveying standards for Internet use by such minors.
3. The Internet filtering software shall be disabled for any person 18 years of age or older who represents that disabling is necessary to enable access

to bona fide research or other lawful purposes. Disabling shall be on terminals in the less public areas of the Library. Users shall not permit minors to view inappropriate matter, and shall not leave the terminal when such matter is displayed. Users shall notify the library staff promptly upon completion of use so that the filtering software may be “undisabled/re-enabled.” Violation of these requirements may result in denial of requests for disabling or termination of Internet access.

- C. **Safety and security of minors when using e-mail, chat rooms, and other forms of direct electronic communication.** The User Agreement shall warn that the Library cannot prevent the use of e-mail, chat rooms, and other forms of direct electronic communication, and that such uses involve risks. The User Agreement shall provide that parents and guardians signing on behalf of users under 18 years of age agree to assume this risk and to be responsible for providing guidance in and setting and conveying standards for Internet use by such minors.
 - D. **Unauthorized access, including hacking and other unlawful activities by minors.** All unlawful activities, including unauthorized access and hacking, are prohibited. The User Agreement shall warn that the Library cannot prevent unauthorized access, including hacking and other unlawful activities by minors. The User Agreement shall provide that parents and guardians signing on behalf of users under 18 years of age agree to assume this risk and to be responsible for providing guidance in and setting and conveying standards for Internet use by such minors.
 - E. **Unauthorized disclosure of personal identification information of minors.** The User Agreement shall warn that the Library cannot prevent unauthorized disclosure of personal identification information of minors, and that such disclosures involve risks. The User Agreement shall provide that parents and guardians signing on behalf of users under 18 years of age agree to assume this risk and to be responsible for providing guidance in and setting and conveying standards for Internet use by such minors.
6. **Other Prohibited Activities.** Patrons are expected to abide by proper rules of Internet etiquette. The following activities are prohibited:
- A. Displaying or accessing inappropriate matter, except as permitted in connection with disabling of filtering software as provided in this policy;
 - B. Harassing, insulting or attacking others;
 - C. Damaging computers, computer systems or computer networks;
 - D. Violating copyright laws;
 - E. Using the Internet for commercial purposes.

Violations are unethical and may constitute a criminal offense. The Library reserves the right

to terminate a patron's access to the Internet for violation of the regulations.