

THE SHERMAN LIBRARY

COMPUTER USE AND INTERNET SAFETY POLICY

Computer Use

The mission of the Sherman Library is to provide a community resource, freely available to all for information, education and recreation. The library offers free computer/ Internet access to all patrons and adheres to the principles of intellectual freedom as expressed in the Library Bill of Rights formulated by the American Library Association.

The Internet offers access to a wealth of information. However, not all information is accurate, current or complete and may be controversial in nature. Users are cautioned that, because security in an electronic environment such as the Internet cannot be guaranteed, all transactions, files and communications are vulnerable to unauthorized access and use and, therefore, should be considered public.

Guidelines for Public Internet Use

1. Computer use may be limited to 30 minutes at a time if others are waiting.
2. Printing fees are published in the library.
3. The computer cannot be used for unlawful purposes or inappropriate network usage.
4. Computer and Internet settings may not be altered.
5. Violations of this policy will result in loss of computer privileges.
6. There should be no expectation of privacy; communications should not be considered private or secure.
7. Usage must be in compliance with copyright laws.

Internet Safety

The Sherman Library's Computer Use and Internet Safety Policy is designed to promote access to the Internet while protecting children and others from exposure to inappropriate material, as well as the public from unlawful access to and use or disclosure of personal information, and unauthorized access to legally restricted areas.

The Computer Use and Internet Safety Policy's purpose is to help prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; to help prevent unauthorized access and other unlawful online activity; to help prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act (CIPA) [Pub. L. No. 106-554 and 47 USC 254(h)].

Access to Inappropriate Material

In compliance with CIPA, the Sherman Library filters all its computers, and all access to the Internet through its network, to help protect against access to obscene visual depictions, child pornography, and/or other material harmful to minors, as required by law.

The filter may unintentionally block sites that have legitimate research value and fail to block objectionable content. Users should be aware that Internet filtering software installed for CIPA compliance should not substitute for individual judgment and/or parental involvement and oversight.

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As the law requires, the Library will disable filtered Internet access to persons 18 or older who request it for bona fide research or any other lawful purposes. Procedures for disabling or otherwise modifying any filtering is the responsibility of the library Director and designated staff.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by CIPA, prevention of inappropriate network usage includes: unauthorized access, including so-called 'hacking,' and other unlawful activities; unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and dissemination and viewing of obscene visual depictions, child pornography, and/or other materials harmful to minors.

Education, Supervision and Monitoring

The Sherman Library affirms and acknowledges the rights and responsibilities of parents and caregivers to monitor and determine their children's access to library materials and resources, including those available through the Internet. Parents or caregivers are responsible for the Internet information selected and/or accessed by their children.

To assist library patrons including parents and children, the staff will provide instruction and guidance on effective and safe use of the Internet in accordance with this policy.

CIPA Legal Definitions. Key terms are as defined in the Children's Internet Protection Act.

Child pornography: "Works that visually depict sexual conduct by children below a specified age" are not protected by the First Amendment and need not meet the Miller test for obscenity [see below] in order to be banned, as the harm targeted by child pornography is the sexual abuse of the children used to create the images.

Harmful to minors: 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.

Minor: An individual who has not attained the age of 17.

Obscene: Materials that "depict or describe patently offensive hardcore sexual conduct," which "lacks serious literary, artistic, political, or scientific value." To determine if a particular work is obscene, a judge or jury must apply a three-part test, popularly called the Miller test, to the work in question. The questions the judge or jury must ask include:

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- Whether the average person, applying "contemporary community standards," would find the work, as a whole, appeals to the prurient interest;
- Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law; and
- Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

The stringent standard established by the Miller test extends First Amendment protection to most sexually explicit expression. Materials many consider "pornographic" or "indecent" do not meet the standard for obscene material and are thus fully protected by the First Amendment. For example, in *Jenkins v. Georgia*, the Supreme Court emphasized that "nudity alone is not enough to make material legally obscene under the Miller standards."

[Definitions from [ALA's Libraries and the Internet Toolkit](#), section on [Legal Issues: CIPA and Filtering](#).]

Approval

Approved by the Sherman Library Board of Trustees on June 21, 2018.