

# BRIGHAM CITY LIBRARY

## INTERNET AND ONLINE ACCESS POLICY\*

*\*This policy is intended to meet the provisions of Utah Administrative Code Rule R458-2, UCA § 9-7-215 and § 9-7-216.*

The Brigham City Library Board has established this policy to ensure appropriate use of internet resources within the Library. This policy will be reviewed by the Library Board every three years. The Library Board shall also adopt administrative procedures and guidelines for the staff to follow in enforcing the policy. The Internet and Online Access Policy will be posted at computer stations for public review. The Internet and Online Access Policy (Policy) and Procedures and Guidelines for the Online and Internet Access Policy (Procedures and Guidelines) are available on the Library's website, and will be available to individuals for review upon request at the circulation desk.

1. The Library provides workstations and unencrypted internet access, including a wireless connection, for public access to the internet. All use of Library resources, including the internet, must be responsible, ethical, and consistent with the purpose for which these resources are provided.
2. Patrons are prohibited from:
  - a. accessing sites that contain child pornography material (UCA § 76-5b-103);
  - b. sending, receiving, or displaying any text or graphics that may be considered pornographic, obscene or harmful to minors under Utah Law (UCA § 76-10-1201 and UCA § 76-10-1206);
  - c. online gambling (UCA § 76-10-1102);
  - d. falsely representing their identity;
  - e. unauthorized disclosure, use and dissemination of personal information regarding minors;
  - f. attempting to modify or gain access to Library files, passwords, systems, hardware, or data.;
  - g. seeking unauthorized access to any portion of any computer system;
  - h. altering or attempting to alter programs, components, settings of any kind, databases, or systems;
  - i. probing, ping, or hacking any computer system;
  - j. interfering with other patrons using computer workstations or wi-fi;
  - k. making copies of copyrighted material, software, or data, except as allowed under copyright law;
  - l. engaging in any activity that is defined as illegal by federal or state statute.
3. It is the sole responsibility of the parent, guardian, or adult caregiver to set guidelines for their children or to monitor their child's access to information available on the internet. Library staff are not able to keep track of or monitor adherence to guidelines set by the parent, guardian, or adult caregiver. The Library staff assumes that visitors under the age of 18 who are unattended in the Library have parental permission to use Library resources, including the internet.

4. The Library shall use commercial filtering software to block sites that may be considered inappropriate, obscene, pornographic or harmful to minors, in accordance with UCA § 9-7-215 and the Children's Internet Protection Act (CIPA). Additionally sites may be blocked for the security of Brigham City and Brigham City Library computer systems. All publicly accessible computers, internet connections, and staff computers will be filtered. Filtering is subject to the limits of available technology and administrative capacity. Each individual is responsible for the subject(s) of their searches and the content those searches yield.
5. Due to the nature of the library's commercial filtering software, the Library Board is unable to authorize Library staff to disable the technology protection measures and filters on a single workstation at the request of an adult patron for the purpose of enabling internet access for research or other lawful purposes (UCA § 9-7-215). For sites patrons would like to see excluded from the Library's filter, patrons may make a request. The site information should be given to Library staff, who will send the request to Brigham City's Network Security Administrator. The Network Security Administrator will evaluate the requested site and make the determination on a site-by-site basis based on laws, policies, and network security considerations. No explanation as to why the patron is requesting access to the site will be required.
6. The Library Board authorizes the Library staff to establish reasonable and equitable rules to govern the use of computer equipment covering time limits, sign-in procedures, and other matters regulating use of Library computers. These rules should be prominently displayed near the sign-in area and the computer area. New rules and restrictions may be adopted by the Library staff as needed without changes being made to this policy.
7. The Library staff will be instructed during in-service training at a minimum of once per year about the guidelines to follow in enforcing the Internet and Online Access Policy.
8. Misuse of Library computers or internet access may result in immediate suspension or permanent loss of Library privileges. The Library staff is authorized to observe and monitor the use of internet workstations. In the event a violation of this policy is observed, enforcement may include, but is not limited to:
  - a. patron education regarding policies or computer use;
  - b. appropriate notification to the patron when the violations occurs (a message sent to the workstation screen, written note, verbal notification, etc. as is feasible and best suits the situation);
  - c. limitations or suspension of privileges according to the guidelines set forth in the Library's Procedures and Guidelines.
  - d. Patrons under suspension for a violation of the Internet Access Policy, who have been given or sent a "Letter of Suspension", and who come to the library and gain access to a computer by not disclosing to staff that they are under a suspension or by other means, may have the length of their suspension extended. If further violations result while under suspension, law enforcement may be notified.
9. Any damage to Library equipment, software, settings, or systems requiring repair will be charged to the offending user or the person(s) responsible for the offending user(s).

## 10. Wireless Internet Use

- a. Wireless internet access is available free of charge for use at the Brigham City Library.
- b. Wireless internet users are subject to the same commercial filtering software to block sites that may be considered inappropriate, obscene, pornographic or harmful to minors.
- c. Wireless internet users are subject to the same restrictions outlined in Article 2a-1 of the Internet and Online Access Policy. Users violating these rules may have their personal devices identified on the network and blocked from the network, in a similar way to users on having their privileges suspended on library devices.
- d. Wireless internet users are responsible for determining functionality and any needed computer accessories required for their personal device(s) for the proper operation or connection of their equipment. Library staff is not responsible to provide technical assistance and no guarantee can be made for the ability to establish function for wireless devices.
- e. Wireless internet users should be aware that the internet access available at the Library is not secure from those who are able to penetrate non-secure systems. The Library assumes no responsibility for any risk or damage that may result.
- f. The Library cannot control areas in the library where wireless reception may be limited (“dead spots”). The user is free to move to another location.
- g. Patrons must keep electrical cords out of walk ways.

11. The Library assumes no responsibility for the safety, security, or damage occurring to equipment, files, or data while using any of the Library’s services, including, but not limited to its computers or wireless connections/equipment in the Library. By using the Library computers, internet or any services, the patron acknowledges:

- a. that the Library is not responsible for their use or misuse of any of the Library’s services or equipment;
- b. any use of the Library’s public internet is done over an unencrypted connection;
- c. and agree that they will hold the Library harmless of anything resulting from that use.

12. By using the computers or internet services at the Library, patrons agree to abide by all Library policies and acknowledge that they may be billed for any damage to Library property resulting from their use.

13. Patrons may report any concerns about possible violations of the Policy to Library staff. If a policy violation did occur, staff may ask the patron to fill out a form in case further investigation or actions need to be taken. Staff will then take appropriate action as outlined in the Library’s Procedures and Guidelines.

14. Any patron having Library privileges terminated for violations of the Library Internet and Online Access Policy may appeal to the Library Director or the Library Board for reinstatement of privileges as follows:

- a. Appeals to enforcement actions may be made in writing to the Library Director or their representative.
- b. Individuals wishing to appeal the decision of the Library Director, or their representative, may appeal to the Library Board of Directors by contacting the

Library Director or their representative at least two business days prior to a scheduled Board meeting.

- A request to the Library Board must be submitted in writing.
- The appeal should be made in person to the Library Board.
- c. The Library Board will issue their decision within thirty business days.
- d. The suspension of privileges will remain in effect throughout the appeal process.

15. Any patron having concerns about the Internet and Online Access Policy or its enforcement, as outlined in the Library's Procedures and Guidelines, may direct verbal or written comments to the library staff, Library Director, or may appeal to the Library Board of Directors. Response to any expressed concerns may be made verbally or in a written form.

*Approved by the Brigham City Library Board May 15, 2007.*

*Re-approved by the Brigham City Library Board June 15, 2010.*

*Re-approved by the Brigham City Library Board May 28, 2013.*

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*Re-approved by the Brigham City Library Board May 21, 2019.*

*Re-approved by the Brigham City Library Board May 17, 2022.*