





DATE SUBMITTED November 13, 2019
 SUBMITTED BY R. Alejandro Estrada
 DATE ACTION REQUIRED November 20, 2019

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS 

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

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| SUBJECT: DISCUSSION/ACTION: APPROVAL AND ADOPTION OF THE IMPERIAL PUBLIC LIBRARY - INTERNET USE POLICY | |
| DEPARTMENT INVOLVED: IMPERIAL PUBLIC LIBRARY. | |
| BACKGROUND/SUMMARY: The City of Imperial Public Library ("Library") provides public access to the Internet as a means to enhance the information and learning opportunities for the citizen's of the Library's service area. The City hereby establishes this Internet Use Policy to ensure the appropriate and effective use of this resource. | |
| FISCAL IMPACT: NOT TO EXCEED No additional fiscal impact to adopted budget FY 2019-2020. | FINANCE INITIALS  |
| STAFF RECOMMENDATION: After the review and consideration by the Department of Information Technology , it is recommended the City Council approve the use of funds allocated to pay these services. | DEPT. INITIALS  |
| MANAGER'S RECOMMENDATION: | CITY MANAGER'S INITIALS  |
| MOTION: | |
| SECONDED: AYES: NAYES: ABSENT: | APPROVED () REJECTED () DISAPPROVED () DEFERRED () REFERRED TO: |

REVISED



City of Imperial
Imperial Public Library
Internet Use Policy

Adopted: 11/20/2019



Imperial Public Library Internet Use Policy

The Internet and the Library

The City of Imperial Public Library ("Library") provides public access to the Internet as a means to enhance the information and learning opportunities for the citizens of the Library's service area. The City hereby establishes this Internet Use Policy to ensure the appropriate and effective use of this resource.

Access to the Internet is available to all patrons; however, this service may be restricted at any time for use not consistent with the guidelines. Parents of minor children must assume responsibility for their children's use of the Library's Internet service. Prior to being granted access to the Internet, all users must sign the Internet Use Agreement in the presence of Library staff. Anyone under 18 years of age must also bring in a parent or guardian to sign the Internet Use Agreement in the presence of Library staff. All users must log-in before beginning their session.

In accordance with the American Library Association's Access to Electronic Information, Services and Networks, an Interpretation of the Library Bill of Rights, the Library supports the ideals and rights of public Internet access, particularly the following:

- User's should not be restricted or denied for expressing or receiving constitutionally protected speech.
- Information retrieved or utilized electronically is constitutionally protected unless determined otherwise by a court with appropriate jurisdiction. These rights extend to minors as well as adults.
- Users have both the right of confidentiality and the right of privacy.
- Electronic information, services, and networks provided directly or indirectly by the Library should be equally, readily, and equitably accessible to all Library users.
- Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a Library collection.
- Parents and legal guardians who are concerned about their children's use of electronic resources should provide guidance to their children.
- Libraries and librarians should not deny or limit access to electronic information because of its allegedly controversial content or because of the librarian's personal belief or fear of confrontation.
- The provision of access does not imply sponsorship or endorsement.



Imperial Public Library Internet Use Policy

The Library:

- Provides Computer with network connections and an unsecured wireless network for Internet access;
- Provides staff to assist in locating sites and information on basic Internet navigation and in the use of equipment for Internet-related services;
- Uses an access management system in its public computers to establish queuing, manage time limits and assess printing charges;
- Does not restrict, filter, or edit Internet content except as may be required by law, including, but not limited to, the Children's Internet Protection Act;
- Does not keep a permanent record of the Internet sites visited or searches performed by individuals; and
- Assumes no responsibility for any damages, direct or indirect, arising from user connection to the Internet or for the loss of personal electronic documents, files or storage devices while using the Library's computers and Internet access networks.

User Responsibilities

Users are encouraged to be good information consumers by evaluating the validity of information accessed via the Internet. Users are also cautioned that the Internet is a decentralized, unmoderated global network which can and does contain material that is inaccurate, controversial, and may be offensive or harmful to some users. Library has no control over and is not responsible for the content found on the Internet. The Library will not censor access to material nor protect users from offensive information, and it is not responsible for the availability and accuracy of information found on the Internet. All Internet users are expected to use this Library resource in a responsible and courteous manner and to abide by the following regulations for the use of Internet resources in the Library:

- Use of the Internet computers is limited to 60 minutes per session. Each user is allowed one session. If there is an unscheduled computer available at the end of a session, the user may have another session, but may not exceed more than two sessions per day;
- Black and white printing is available. The current charge is 15¢ per page. The charge is subject to change;
- Customers may not use library cards belonging to others to log on to or reserve Library provided computers;
- Users may not invade the privacy of others; no more than two people may use a workstation at the same time;



Imperial Public Library Internet Use Policy

- Users may not unplug, remove, or otherwise modify Library equipment;
- Library computers and networks may not be used to transmit spam, to propagate destructive processes such as computer viruses or worms, or to engage in any illegal activity over the internet;
- Users agree not to incur any costs for the Library through their use of the Internet service;
- It is solely the responsibility of the wireless device owner/user to provide anti-virus protection, and to configure personal equipment with appropriate security settings to control access from other wireless devices within Library facilities and the Internet itself. Wireless users assume all risks in this regard.

Unauthorized use of Library computers, compromising the rights of other Library customers or workers in their use, or any violation of the Internet user guidelines can result in the suspension or revocation of Internet and/or Library privileges. The following laws govern the use of the Library's public Internet computers and networks:

- Child Pornography-
 - 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,... the depicts a person under the age of 18 years engaged in an act of sexual conduct."
- Harmful to Minors-
 - California Penal Code 313 et seq. states, among other things, that "...every person who, with the knowledge that a person is a minor, knowingly exhibits or offers to distribute or exhibit by any means, the matter which is harmful to minors..." is guilty of a crime. Computers are located in the public area where minors may be present so users are cautioned to be aware of others around them.
- Hostile Work Environment-
 - Displaying explicit, graphic, or obscene images on computers in the Library may create a hostile workplace environment for staff and may constitute a violation of Title VII of the Civil Rights Act of 1964, which prohibits sex discrimination in the workplace.
- Tampering with Equipment and Software-



Imperial Public Library Internet Use Policy

- It is illegal for users to physically or electronically modify Library computer equipment, or to tamper with hardware, software, or computer networks (California Penal Code, Section 502 et seq.)
- Copyright-
 - United States Copyright Law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principle of "fair use". This includes electronic information sources and software. Users are responsible for any consequences of copyright infringement.
- Confidentiality-
 - The Library maintains the confidentiality of customer usage of the Internet. However, the Library will cooperate with law enforcement in providing access to customer records to the extent required by the California Public Records Act (California Government Code, Title 1, Div. 7, Chapter 3.5, and Section 6267) and other State or Federal statutes.

Guidelines for Parents

Parents or guardians have the right and responsibility to determine and monitor their children's and only their children's access to Library materials and resources, including those available through the Internet. The Library does not act in *loco parentis* in the supervision or restriction of children's use of the Internet. It does not have the same role in supervising children that schools have, and it cannot substitute its judgment for that of parents or enforce parent's decisions about their children's Internet use. Children under the age of eight must be accompanied by a responsible adult. The following recommendations are intended to assist parents and guardians in guiding children in their use of the Internet.

- Visit the Library with your child;
- Spend time online visiting sites with your child;
- Discuss topics that may be off-limits when they are on the Internet
- Explain the importance of never giving identifying information such as home address, telephone numbers, passwords or school names over the internet;
- Caution never to arrange to meet in person with people they have become acquainted with using electronic mail, chat rooms and other forms of direct electronic communications;
- Ask the Library staff for help in finding information on the Internet and for a listing of websites designed to promote Internet safety awareness for children.



Imperial Public Library Internet Use Policy

**City of Imperial
Imperial Public Library**
200 W. 9th Street
Imperial, CA 92251
Phone (760) 355-1332 / Fax (760) 355-4857

INTERNET USE AGREEMENT

I understand and will abide by the City of Imperial Public Library's Internet Use Policy. I further understand that any violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be suspended or revoked and appropriate legal action may be taken.

User's Name: _____

User's Signature: _____

Date: _____

As the parent or guardian of this individual, I accept full responsibility for my child's use of the City of Imperial Public Library's Internet service and agree to oversee my child's use of this service. I have read the attached Internet Use Policy, and I understand that the Library's access to the Internet is intended and designed for educational and informational purposes. I understand that if my child is under the age of eight, they must have adult supervision while using the Library computers and Internet. I also understand that this supervision is my responsibility and not the responsibility of the Library or Library staff. I will not hold the Library responsible for materials or information acquired by my child through the use of the Library's Internet service. I hereby give permission for my child to use the Library's network for Internet access and certify that the information contained herein is true and correct.

Parent's/Guardian's Name: _____

Parent's/Guardian's Signature: _____

Date: _____