

Policy Binder

**MARIPOSA COUNTY
BOARD OF SUPERVISORS**

**AGENDA
ACTION FORM**

**DATE May 14, 2002
AGENDA ITEM NO.: 5A**

DEPARTMENT: Library

BY: PHONE: 966-8478

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes X No)

PROPOSED INTERNET POLICY CHANGE

The Mariposa County Library Internet Policy needs to be changed because it will not be in Compliance with the Federal Children and Internet Protection Act that should be in place by June 30, 2002: See Attachment A

Current Policy [adopted by the Board of Supervisors]: See Attachment B

Proposed Policy: See Attachment C

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors has passed other policies for the library. Examples are the Video and Community Room policies.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Mariposa County Library would not receive discounts for internal connection services and there would be ramifications to the San Joaquin Valley Library Systems Internet and internal connections discounts.

COSTS: (x) Not Applicable

- A. Budgeted current FY \$ _____
- B. Total anticipated costs \$ _____
- C. Required additional funding \$ _____
- D. Internal transfers \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

SOURCE: () 4/5ths Vote Required

- A. Unanticipated revenues \$ _____
 - B. Reserve for contingencies \$ _____
 - C. Source description: _____
- Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:

Res. No.: 02-145 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved () Denied

() Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

- This item on agenda as:
- _____ Recommended
 - _____ Not Recommended
 - _____ For Policy Determination
 - _____ Submitted with Comment
 - _____ Returned for Further Action

Comment: _____

C.A.O. Initials: MM

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

NEW CHILDREN AND INTERNET PROTECTION ACT

The Schools and Libraries Support Mechanism - often called the "E-Rate" - provides support for eligible schools and libraries to help offset the cost of advanced telecommunications services. Universal Service Administrative Commission (USAC) administers the Schools and Libraries Support Mechanism which was launched in November 1997. Libraries and schools can apply for pricing discounts for the following services:

- Telecommunications services including local and long-distance service
- Internet access
- "Internal connections" projects such as wiring and networking schools and libraries to facilitate the use of advanced telecommunications technology; providing these connections affords students and library patrons the same access to high technology and near-instant information and resources that once could only be found at the university level.

The range of discounts available to schools and libraries correlates with the household income level of students in their communities and their urban or rural status. Income for a school or district is measured by the percentage of students eligible for the National School Lunch Program (NSLP) administered by the United States Department of Agriculture.

The Children's Internet Protection Act (CIPA) was signed into law on December 21, 2000. Under CIPA, no school or library may receive E-Rate discounts unless it certifies that it is enforcing a policy of Internet safety. The Internet Safety Policy must include the FCC Compliance Regulations.

From the Federal Communications Commission (FCC) Compliance Regulations
"FCC 01-120"

- In order to receive discounts for Internet access and internal connections services under the universal service support mechanism, school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. These include visual depictions that are (1) obscene, or (2) child pornography, or, with respect to use of computers with Internet access by minors, (3) harmful to minors. An authorized person may disable the blocking or filtering measure during any use by an adult to enable access for bona fide research or other lawful purpose.
- In order to receive discounts, school and library authorities must also certify that they have adopted and implemented an Internet safety policy addressing (1) access by minors to inappropriate matter on the Internet and World Wide Web; 2) the safety and security of minors when using electronic mail, chat rooms, and other forms of

New Children and Internet Protection Act

direct electronic communications; (3) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (5) measures designed to restrict minors' access to materials harmful to minors.

Mariposa County Library is committed to the principles of intellectual freedom, promotion of literacy, encouragement of lifetime learning and provision of materials and informational services. The Library provides the public with as wide a spectrum of materials as possible. The Internet, a global network of thousands of computers connecting all over the world, offers vast amounts of information far beyond the Mariposa County Library's collection. It allows access to ideas and information from a multitude of sites spread over the globe.

While the Library offers selected connections to a wide range of useful and interesting sites through its home page and bookmarks. The Internet is an unregulated medium. While it offers access to a wealth of local, national and international information that is enriching to individuals of various ages, it also enables access to some material that may be considered offensive, controversial or disturbing. Also, as with printed sources, not all information on the Internet is accurate, complete or current. Individual users must accept responsibility for their own selections of sites and information on the Internet. The Library upholds the right of each individual to have access to constitutionally protected material.

It is the responsibility and right of parents to determine and monitor their children's use of Library material and resources, including the Internet. Each parent needs to decide which resources are appropriate or inappropriate for his/her own children's use.

The Library provides use of the World Wide Web, a graphical interface for a part of the Internet. It does not provide e-mail accounts.

The U.S. Copyright law (Title 17, U.S. Code) prohibits unauthorized reproduction or distribution of copyrighted materials; therefore users may not copy or distribute electronically accessed materials without permission of the copyright holder, except as permitted by "fair use" principles. Responsibility for copyright infringement is with the user. The Library disclaims liability resulting from such infringements.

Modifying or attempting to damage computer equipment or software is vandalism to Library property and may result in legal action.

Mariposa County Library
P.O. Box 106
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209.966.2140

Internet Policy
Mariposa County Library

Proposed Policy [Draft II]

The policy of the Mariposa County Library is to provide public access to information on the Internet for people of all ages. This policy shall be consistent with Federal and State Constitutional, legislative provisions and regulations, and the Library Internet Policy as established and modified by the County Librarian. To the extent possible and using appropriate technologies, the Library will provide access to information on the Internet but will block the display for users who are minors, visual depictions harmful to minors, and for all users visual depictions that are obscene or child pornography. Within these provisions and policy, access to information through the Internet for minors shall be the responsibility of the parent(s.)

The Library will provide children Internet access in a safe environment. Children will be directed to appropriate information for their information needs. They will be educated on the safe use of electronic mail, chat rooms, and other forms of direct electronic communication. To the extent possible they will be barred from unauthorized access and their privileges suspended if an unauthorized use is detected. Parents and children will be educated on the proper disclosure and use of personal information when using the Internet.

Library Policy

The Mariposa County Library provides free public access to the Internet to meet the information needs of our users and to provide residents with opportunities for learning about information technology. The Library has no control over the quality or accuracy of information found on the Internet. Users should critically evaluate its content. All user access is 'filtered' to comply with applicable state and federal law.

The Mariposa County Library will purchase and install a blocking or filter measure for Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. These include visual depictions that are (1) obscene, or (2) child pornography, or, with respect to use of computers with Internet access by minors, (3) harmful to minors. An authorized person may disable the blocking or filtering measure during any use by an adult to enable access for bona fide research or other lawful purpose. Filters cannot completely remove all potentially objectionable material found on the Internet. Parents and guardians are strongly encouraged to guide their children's use of the Internet. At home they may wish to use other search tools that provide their own additional filters. The Library recommends parents view Child Safety on the Information Superhighway and Teen Safety on the Information Highway with their children. (These two web sites are linked to specific Internet sites through our web site where our Library policy is published.)

Having adopted and implemented an Internet safety policy addressing (1) access by minors to inappropriate matter on the Internet and World Wide Web; (2) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (3) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (5) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (6) measures designed to restrict minors' access to materials harmful to minors; by installing a blocking or filtering measure, the Mariposa County will have policies and technology measure in place to begin to comply with Federal Communications Commission Children's Internet Protection Act requirements.

As with other library materials, Library staff does not monitor what any user views or reads over the Internet.

All Internet users are required to have valid library cards and PIN numbers.

Implementation by County Librarian

1. The Library will develop brochures and other information in both print and electronic form to communicate this policy to the community.
2. The Library will work with the other members of the San Joaquin Valley Library System to acquire software and hardware to support filtering as required by the Policy and all laws as passed by the US Congress and the California State Legislature.
3. Once this new policy is in place, the current methods/software tools will be extended to adults.
4. Staff will now begin developing information to interpret the changes coming so that current users will be on notice about the change.

Current Guidelines as noted here and modified from time to time by the County Librarian will continue.

- 1) To provide equal opportunity for all residents to access the Internet, the Library limits the total daily use by each person to a maximum of 1 hour. In locations with few PC's, total daily use may be limited to 30 minutes. The length of each session varies by location but is no less than 30 but no longer than 60 minutes.
- 2) Library service desks do not schedule the use of Internet workstations. Users time is based on first come first serve but patrons must sign-up to enter the computer use queue.
- 3) Printouts cost 10 cents per page and 85 cents per page where color printers are available. Please pay at the desk after printing. Ask for assistance with printer problems.

- 4) Downloading to floppy diskettes is permitted. Disks can be purchased for \$1.00. The Library assumes no responsibility for damage to users' computer equipment or data files resulting from downloads from the Internet.
- 5) Library users are responsible for any consequences of copyright infringement through printing or downloading from the Internet.
- 6) If the nature of sites being viewed on the Internet disturbs other Library users, the viewer will be asked to cease.
- 7) Failure to comply with these rules will result in the revocation of Internet use privileges.