

Computer and Internet Use

Thomas County Public Library System

[Boston-Coolidge-Meigs-Ochlocknee-Pavo-Thomas]

General Computer/Internet Use

Free access to the computers and Internet will be granted to any Georgia resident with a PINES library card in good standing. **Visitors may access the computer and use the Internet with a free Visitor's pass with proof of ID.** Minors (ages 12-17) may **only** have access to the internet with permission of a parent or legal guardian. All children under the age of 12 must have a parent or legal guardian present at the computer at all times while accessing the internet.

TCPLS Responsibility

Use of the Library's Internet

The Internet is a diverse tool that offers unique resources to the community. It is increasingly essential to learning. It offers new freedoms, demands, and new responsibilities. TCPLS provides **filtered** access to the Internet as one means of fulfilling its mission to make informational, recreational and cultural resources available to its patrons in a variety of formats and as a means of complying with applicable laws.

It is the responsibility of TCPLS to ensure that policies governing Library use of the Internet are in compliance with federal, state and local laws and regulations.

Because the Internet is a fluid environment, the information available is constantly changing; therefore, it is impossible to predict with certainty what information patrons might locate. Just as the purchase, availability and use of other Library materials does not indicate endorsement of their content by the Library staff and Board, *neither does making electronic information available to patrons imply endorsement of that content.*

Wireless Internet Use

To gain access to the TCPLS wireless network, patrons must have a PINES library card in good standing. Upon verification of account status, staff will enter wireless password. There will be no access to any unfiltered sites on laptops, patrons must use TCPLS PCs. Minors (ages 12-17) may **only** have access to the internet with permission of a parent or legal guardian. **Visitors may access the TCPLS wireless network with a free Visitor's pass with proof of ID.**

ALL Users

Use of the Library's services is a privilege and a conditional service, not a right, and inappropriate use of this conditional service can result in the cancellation of that privilege.

Computer users at a TCPLS Library agree to hold the Library, including the Board and the Library staff, harmless from any claims, losses, damages, obligations or liabilities relating to any reason, including:

1. Infringement of U.S. Copyright Law (Title 17, U.S.C.) governing the reproduction, distributions, adaptation, public performance and public display of copyrighted material

2. The use and/or accuracy of information obtained through the Library's electronic information system
3. Damage to non-Library software or hardware resulting from viruses downloaded via the Library's Internet services
4. Any liability in relation to defamatory or offensive material (including graphics)

Responsibility of Patrons and Parents of Minors

TCPLS upholds and affirms the right of individuals to have access to constitutionally protected materials, and also affirms the right and **responsibility of parents to determine and monitor their children's use of Library materials and resources, including those available from the Internet. It is the responsibility of the parent or guardian to monitor and supervise their children's use of the Internet in selecting material that is consistent with personal and family values, and appropriate for the age and understanding of the children.**

TCPLS assumes no responsibility for any damage, direct or indirect, that users or anyone else may suffer through access to the Internet at any of our libraries.

Filtering

All computers that have access to the Internet have filtering software installed that meets legal requirements. The software is a measure taken to filter Internet access to visual depictions that are obscene, contain child pornography or are harmful to minors. Use of the software will be enforced by the Library.

Please note: Your computer sessions may be monitored. These are public computers.

Rules & Guidelines

- The Internet access computers as well as other *Library computers are normally available, subject to periodic maintenance or unscheduled outages, during regular Library hours.*
- Use of the Internet access computers is on a *first-come, first-served basis. Each affiliated Library may impose time limits in order to ensure equitable access to all patrons.*
- *Only one person per workstation with the exception of the dedicated terminals for 2 or more people*
- Attempting to use another person's library card will result in temporary loss of computer privileges for card owner being used until proof of identification has been verified.
- Library staff has the authority to end a computer session at any time.

- Responsibility for loss of data and for resolution of problems relating to any invasion of the user's privacy rests with the user. ***The Library assumes no liability for loss or damage to the user's data or to injury arising from invasion of the user's privacy.***
- It is the policy of TCPLS to maintain an environment that promotes ethical and responsible conduct in all online activities by staff and patrons. This policy is a practical and logical extension of our community's commitment to conduct that is legal, responsible, ethical and considerate of others.
- *Uploading or creating computer viruses is considered a criminal offense and will result in immediate loss of Internet privileges and/or criminal prosecution. TCPLS will notify the proper authorities of the offense.*
- *Users are financially responsible for any charges they incur from the use of the Internet, including the cost of printing and online purchases.*
- The user shall accept the computer as it is set up by the Library and make no changes to its configuration.
- When using e-mail, minors must take extreme caution in regard to information of a personal nature. ***Minors should not reveal their personal home address, location, home phone number or other identifying information.***
- Users shall not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users or misrepresent other users on the Internet.
- No user of the Internet shall disrupt the use of the Internet by others; hardware or software shall not be destroyed, modified or abused in any way.
- ***Malicious use*** of the Internet to develop or use programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computer device is prohibited. Sending hate mail or chain letters, harassment, and discriminatory remarks are prohibited.

TCPLS complies with applicable federal and state laws and regulations.

Penalties for Violation

Problems arising from application of this policy will be handled as follows:

In the case of creating or purposefully uploading a computer virus or Trojan horse to the network or to any computing device, the patron shall lose all Library privileges immediately and permanently. If a staff member creates or purposefully uploads a computer virus or Trojan horse to the network or other computing device, he/she will be disciplined immediately up to and/or including termination of employment from TCPLS (as stipulated in the TCPLS Personnel Manual).

In all other instances, the following shall apply:

First Violation: A verbal warning will be given.

Second Violation: Internet/Computer privileges will be revoked for one (1) month. A letter stating reason and term of suspension will be sent home to parents of all minors.

Third Violation: Internet/Computer privileges will be revoked permanently. A letter stating reason and permanent suspension of Internet/Computer privileges will be sent home to parents of all minors.

Appeals Process

An Internet user whose Internet privileges have been revoked shall have the right to appeal and/or request Internet access privileges be reinstated. An appeal must be in writing and submitted to a Department Manager within five days of the prohibition. Within ten days of the receipt of the appeal, the Department Manager and the Director shall review the matter and notify the patron in writing of their decision.

If their decision is adverse to the patron, the patron may appeal in writing within five days to the Library Board of Trustees, which shall consider the matter and issue its decision in writing following the next regularly scheduled board meeting.

No further appeals to the Library will be considered.

Definitions

Child Pornography – The federal child pornography statute, *18 U.S.C.2256*, defines “child pornography” as “any visual depiction” of a minor under 18 years old engaging in “sexually explicit conduct”, which includes “actual or simulated” sexual intercourse, bestiality, masturbation, sadistic or masochistic abuse, or “lascivious exhibition of the genitals or pubic area”. The statute’s definition includes not only actual depictions of sexually explicit conduct involving minors, but also images that “appear to be” minors engaging in sexually explicitly conduct.

Harmful to Minors – Any depiction which:

1. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. 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, an actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. taken as a whole lacks serious literary, artistic, political, or scientific value as to minors. (Definition from the Children’s Internet Protection Act (CIPA) and *47 U.S.C. 254*).

Minor – CIPA definition: An individual who has attained the age of 17. *Official Code of Georgia* definition (*OCGA 16-12-102(1)*): One who is under 18 years of age. As TCPLS must comply with federal law, which takes precedence over state law, the CIPA definition shall be applied.

NCIPA – Neighborhood Children’s Internet Protection Act

Obscene – Obscene materials are (in the CIPA) said to be defined by *USC 18 Sec 1460*, but in fact all this citation does is define what is meant by “visual depiction” of obscenity. The actual legal definition of “obscene” has not been codified, but instead lies in the Supreme Court decision

Miller vs. California of 1973. The “Miller Test” defines obscenity as material possessing **all three** of the following characteristics:

1. an average person applying contemporary community standards, would find the material, taken as a whole, appeals to the prurient interest;
2. the material depicts or describes, in a patently offensive way, sexual contact as specifically defined by applicable state law; **and**
3. the material, taken as a whole, lacks serious literary, artistic, political, or scientific value.

The State of Georgia’s definition of obscenity closely follows the Supreme Court guidelines given above. According to *OCGA 16-12-80*, material is obscene if:

1. To the average person applying contemporary community standards, taken as a whole, it predominately appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex, or excretion;
2. The material taken as a whole lacks serious literary, artistic, political or scientific value; **and**
3. The material depicts or describes, in a patently offensive way, conduct specifically defined in the following subparagraphs (a) through (e) of this section:
 - a. Acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated;
 - b. Acts of masturbation;
 - c. Acts involving excretory functions or lewd exhibition of the genitals;
 - d. Acts of bestiality or the fondling of sex organs of animals; or
 - e. Sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.