

# COCHRANE PUBLIC LIBRARY POLICY

## Internet Access Policy

The Cochrane Public Library is pleased to offer access to the Internet which provides an electronic window onto a world of ideas, information and commentary well beyond that which is available in its own collection. The purpose of the Cochrane Public Library's Internet service is to assist Cochrane and area residents in their pursuit of information, education, research, recreation and culture.

The Internet is an **unregulated**, constantly changing environment that is world-wide in scope. It contains information and opinions that range in scope from reliable and authoritative to controversial or offensive.

Some information found on the Internet may **NOT** be accurate, complete, or current. Patrons must assess the validity of the information found. Patrons should be aware that the Internet is not a secure medium and that third parties may be able to obtain information about Patrons' activities.

### Limits of Responsibility

The Cochrane Public Library does not monitor or control any of the information available on the Internet.

The Cochrane Public Library does not manage the content of the information accessed through the Internet. The Library is not responsible for the site content of links or secondary links from its computers.

The library assumes no responsibility for any costs, liability or damages caused by the way an individual chooses to use her/his Internet access; or for any consequences of service interruptions or for any consequences of giving out personal information over the Internet e.g. telephone numbers, credit card information, etc.

The Cochrane Public Library assumes no responsibility for any direct or indirect claims, damages or costs, howsoever caused, sought by Patrons or third parties arising from its provision of access to Internet services.

### Children

The following policies and guidelines apply to children's use of the Internet at the Cochrane Public Library:

1. The Cochrane Public Library does not act in place of or, in absence of, a parent and is not responsible for enforcing restrictions which a parent or guardian may place on a minor's use of Internet service.
2. Library staff may assist to identify some Internet sites of interest to children, as well as resources for parents on children's use of the Internet. Otherwise, as with other materials available at the Library, **children's access to the Internet and other electronic networks is the sole and direct responsibility of their parents or guardians.**
3. Parents and guardians are responsible for monitoring their child's Internet activity and choice of workstation. Parents are encouraged to supervise their child's Internet use and to inform the child if there are materials they don't want them to access. Parents should alert their children to Internet marketing practices or gimmicks aimed at young consumers. Parents should set up rules, conditions and boundaries of the children's use of the Internet. Every child develops intellectually, emotionally and physically in a unique way. Parents can best evaluate their children's readiness to use the Internet and to judge their maturity to surf alone.
4. Parents and children are encouraged not to give out personal information online and to discuss any information that makes them feel uncomfortable. Do not respond to any messages that are mean or in any way make you feel uncomfortable. Children should never agree to get together with someone they "met" online without first checking with a parent.
5. Parents are advised that children are entitled to access all information and facilities in the Library and there is accordingly no monitoring or limitation of access by children to any areas of the library, including internet workstation areas where material being viewed by other Patrons may be visible.
6. The Cochrane Public Library may elect to use filtering software in Library computers. Filtering software does not replace the need for parental guidance.

### **Intellectual Freedom & Copyright**

In developing its Internet policy, the Cochrane Public Library confirms, as policy, the *Statement on Intellectual Freedom* of the Canadian Library Association. (Attached hereto)

Patrons of the Cochrane Public Library are subject to federal, provincial and municipal legislation regulating Internet use including the provisions of the

Criminal Code regarding obscenity, child pornography, sedition and the incitement of hate. The use of the Library's Internet services for illegal purposes is prohibited, and may result in prosecution.

Certain copying or distribution of materials found on the Internet may infringe on the copyright laws of Canada. The Cochrane Public Library is not responsible for such infringements. The copyright law is available for consultation in the Library.

### **Responsible Use, Rules and Penalties**

The following rules and policies govern use of the computers and Internet at the Cochrane Public Library.

Patron's who fail to:

- (a) comply with these rules and the Internet Policies of the Cochrane Public Library; or
- (b) are in arrears of payment of fines or fees owing to the Cochrane Public Library

shall have their Internet Access privileges and/or their Library privileges suspended or revoked and/or may be prosecuted.

1. All Patrons of electronic information resources such as the Internet are expected to use these resources in a responsible manner. Responsible use of the Internet includes the following:

- using resources for educational, recreational and informational purposes and not for unauthorized, illegal or unethical purposes.
- making only authorized copies of copyrighted or licensed software or data.
- respecting time limits for using the Internet and yield to next signed-up person.

Conduct which is determined not to constitute reasonable use is deemed to be a violation of this Policy.

- 2. Patrons shall not attempt to use Library workstations in an unacceptable manner, for unlawful purposes or to install, modify or delete software.
- 3. Use of the computer workstations for the following conduct or purposes, and the following activities are prohibited:

- (a) illegal or criminal purposes; or
  - (b) use of the Internet to access, display, download, print, or forward material that is unlawful, pornographic (as defined by the Criminal Code of Canada), or identified as criminal or hate literature content; or
  - (c) the posting or transmitting of any criminal, unlawful, threatening, abusive, libellous, defamatory, obscene, pornographic or similar material via the Internet; or
  - (d) exposing other library Patrons or staff to information or graphics that are pornographic or offensive; or
  - (e) the infringement of copyright and other intellectual property rights; or
  - (f) subverting, or attempting to subvert, any security devices in either software or hardware format or attempting to modify or gain access to files, passwords or data belonging to others (otherwise referred to as "hacking"); or
  - (g) attempting to install viruses or other programs designed to damage or alter software; or
  - (h) sending unsolicited commercial material or spamming; or
  - (i) misrepresenting oneself as another user; or
  - (j) attempting to modify workstations in any manner or attempting to gain access to files, passwords or data belonging to others; or
  - (k) vandalism or theft or modification of library property.
4. Patrons must respect the privacy of others using the Internet. Patrons are guests on the system and should act with respect and consideration for one another. All Patrons are expected to respect the privacy of others using the Internet and not interfere with their use.
5. In addition to the general rules respecting use of the Library, the Cochrane Public Library Board prohibits the use of its workstations for any purpose which would contravene any statute or government regulation, or which might create civil liability by the user or the Library Board to any person.

For example, the Ontario Human Rights Code prohibits certain forms of discrimination and harassment of other individuals or groups, and the Criminal Code includes prohibitions against child pornography, obscenity, hate literature, and literature for illicit drug use.

An example of civil liability is the law of libel and slander.

No effort has been made to be exhaustive in giving the above examples. Patrons are reminded that ignorance of the law is not an excuse.

6. Patrons are reminded that the Internet terminals are in a public area. Patrons are expected to use the Internet Terminals in accordance with the public nature of the location. The Library staff is fully authorized to protect the quiet enjoyment of the Library by the general public, including any children.
7. Patrons using the Public Library internet services must not be in default of payment of other fees or fines owing to the Cochrane Public Library.

#### **Modification of Policies and User Agreements:**

Use of Library workstations of Internet Access is conditional upon the Patron's agreement to observe all aspect of this Policy.

By continuing to use the workstation, the Patron indicates agreement to all requirements of this Policy.

To ensure equitable access to the Internet and efficient use of resources, the Cochrane Public Library may develop service use guidelines.

The Library reserves the right to modify this Policy and other implemented Guidelines when and where appropriate.

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## Position Statement of the Executive Council of the Canadian Library Association.

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**SUBJECT:** Statement on Intellectual Freedom

**APPROVED BY:** Executive Council

**DATE APPROVED:** June 27, 1974; Amended November 17, 1983 and November 18, 1985

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All persons in Canada have the fundamental right, as embodied in the nation's Bill of Rights and the Canadian Charter of Rights and Freedoms, to have access to all expressions of knowledge, creativity and intellectual activity, and to express their thoughts publicly. This right to intellectual freedom, under the law, is essential to the health and development of Canadian society.

Libraries have a basic responsibility for the development and maintenance of intellectual freedom.

It is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire and make available the widest variety of materials.

It is the responsibility of libraries to guarantee the right of free expression by making available the entire library's public facilities and services to all individuals and groups that need them.

Libraries should resist all efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Both employees and employers in libraries have a duty, in addition to their institutional responsibilities, to uphold these principles.