

Madison County Library System Computer Use and Internet Safety Policy

Introduction

It is the policy of the Madison County Library System (MCLS) to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Access to Inappropriate Material

MCLS uses technology protection measures (or "Internet filters") to block or filter the Internet and access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Computers and the Internet

There is no one in control of the Internet. Anyone with a computer can access or place information on the Internet. Its available resources may contain material that is controversial, inaccurate, and/or outdated. MCLS staff has no control over the information accessed through the Internet and the World Wide Web and cannot be held responsible for its content. Restriction of a child's access to the Internet, as with our library materials, is the responsibility of the parent/legal guardian.

In offering Internet access, library staff cannot control access points that change rapidly and unpredictably. Library staff cannot control the speed of Internet access during times of peak Internet usage. Library staff cannot assist in configuration of personal computers, e-readers, smart phones or other electronic devices due to liability concerns.

Methods of Access

Wired Access

Wired access is only available for MCLS computers (no public computers are allowed to connect to the wired network). Printing is available through the wired network.

Wireless Access

MCLS offers wireless access to the Library's Internet service at all branches. When you use the Library's Internet service you are accepting the Library's Computer Use and Internet Safety Policy. Please take time to read the policy before accepting its terms. Printing is available through the wireless network.

Limitations of Wireless Access

- Signal strength may vary within each building.
- Access is only available during normal library hours.

Responsibilities of Users

Parents/legal guardians have the responsibility for deciding what resources their children will use in the library. Parents/legal guardians should let their children know what they can and cannot access on the Internet and they must supervise their children's use of the Internet. Parents are solely responsible for what a child views on a personal computer through the wireless access.

As stated in the MCLS Unattended Children Policy, users under the age of 12 must have a parent/legal guardian beside them at the computer at all times. Internet users aged 12-17 will have open access to all online services.

Parents and children are encouraged to read the **Child Safety on The Information Highway**, a guide available at <http://www.safekids.com>. It is the sole responsibility of the parent to make the child understand that he/she should not give out personal information online. MCLS will not allow nor be responsible for any unauthorized disclosure, use, and dissemination of personal information regarding minors.

Responsibilities of Staff

Library staff shall provide computer assistance to the public as time permits. Patrons may use *only* computers designated for public use. Library staff will provide assistance with library equipment malfunctions. Library staff cannot assist in configuration of personal computers.

Disclaimer

MCLS assumes no responsibility for damages caused by programs downloaded from the Internet nor shall the library be responsible for any data loss or damage to personal equipment. The Library cannot assure the safety of your data when you use either our wired or wireless Internet access.

Juristic Notations

The U.S. copyright law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use." Users may not copy or distribute electronic materials (including electronic mail, text, images, programs or data) without the explicit permission of the copyright holder. Any responsibility for any results of copyright infringement lies with the user.

The Mississippi Code 1972, annotated:

- Section 97-5-29 Public display of sexually oriented materials.
- Section 97-45-3 Computer fraud.
- Section 97-45-7 Offenses against computer equipment.
- Section 39-3-365 Confidentiality of library user records.

Please read the attached codes. Responsibility for any results of disobeying these laws lies with the user. Madison County Library System expressly disclaims any liability or responsibility arising from access to or use of information obtained through the Internet. Parents are solely responsible for what a child views on a personal computer through wireless access.

Rules Governing Use of the Computers and the Internet

1. Use of computers is on a first-come, first-serve basis.
2. Limit of one person per computer at any given time (except for children under the age of 12 whose parent/legal guardian must accompany them).
3. Guests who do not have a MCLS library card have up to 1 hour to use public access computers per day. Guest passes are limited to 1 per day.
4. The library does not provide electronic mail accounts or access to newsgroups.
5. Patrons must bring their own headphones for any auditory computer uses. Ear buds are available for purchase.
6. Patrons may bring their own compatible storage media for downloading/saving files. Flash drives are available for purchase.
7. Black and white prints made from the computer workstations are \$.20 per copy. If front and back are copied the total cost is \$.40. Color prints, where available, cost \$.50 per copy. If front and back are copied the total cost is \$1.00.
8. **The library is not responsible for loss of patron data on the computers.** Information cannot be saved permanently on the hard drive of the computers. The Madison County Library System reserves the right to erase any files or materials on the hard drive at any time.
9. Patrons may not install any software or alter the library's hardware.
10. Priority for computer usage will be given to programs scheduled by the Library.
11. The use of anonymous Internet proxy servers (or any other related or unrelated approaches which produce similar results) to evade and/or circumvent the content filtering system of the Madison County Library System's public access computers is strictly prohibited.
12. Misuse of the computer or Internet access will result in the loss of computer privileges. Violators of this policy may also lose library privileges. Illegal acts involving library computer resources, such as hacking, will be subject to prosecution by local, state, or federal authorities.
13. FTP (File Transfer Protocol) is not allowed on public computers.
14. Actions that cause damage to equipment or software, willful violation of library policies, or refusal to follow staff directions will result in the loss of computer privileges. The library staff reserves the right to terminate computer use and to deny use to repeat abusers. If there are three documented cases of computer abuse noted on a patron's record, library privileges will be suspended for a period of six months or a time predetermined by the Director. The patron will also be denied further use of the library's computer equipment.

Mississippi code 1972, Annotated

Section 97-5-29. Public display of sexually oriented materials.

(1) Any person who intentionally and knowingly places sexually oriented materials upon public display, or who knowingly and intentionally fails to take prompt action to remove such a display from property in his possession after learning of its existence shall be guilty of a misdemeanor and upon conviction shall be fined for each offense not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5,000.00) or be imprisoned for not more than one (1) year in the county jail, or be punished by both such fine and imprisonment.

(2) For purposes of this section any material is sexually oriented if the material consists of representations or descriptions of actual or simulated masturbation, sodomy, excretory functions, lewd exhibition of the genitals or female breast, sadomasochistic abuse (for the purpose of sexual stimulation or gratification), homosexuality, lesbianism, bestiality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast or breasts of a female for the purpose of sexual stimulation, gratification or perversion.

(3) A person places sexually oriented material upon public display within the meaning of this section if he places the materials on or in a billboard, viewing screen, theater stage or marquee, newsstand, display rack, window, showcase, display case or similar place so that sexually oriented materials is easily visible from a public street, public road or sidewalk or from areas of public business in which minors are normally business invitees.

Sources: Laws, 1979, ch. 475, 2, eff from and after July 1, 1979.

Section 97-45-3. Computer fraud; penalties.

(1) Computer fraud is the accessing or causing to be accessed of any computer, computer system, computer network, or any part thereof with the intent to:

(a) Defraud; or

(b) Obtain money, property or services by means of false or fraudulent conduct, practices or representations; or through the false or fraudulent alteration, deletion or insertion of programs or data.

(2) Whoever commits the offense of computer fraud shall be punished, upon conviction, by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.

Sources: Laws, 1985, ch. 319, 2, eff from and after July 1, 1985.

Section 97-45-7. Offense against computer equipment; penalties.

(1) An offense against computer equipment or supplies is the intentional modification or destruction, without consent, of computer equipment or supplies used or intended to be used in a computer, computer system or computer network.

(2) Whoever commits an offense against computer equipment or supplies shall be punished, upon conviction, by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment for not more than six months or both such fine and imprisonment. However, when

the damage or loss amounts to a value of One Hundred Dollars (\$100.00) or more, the offender may be punished, upon conviction, by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.

Sources: Laws, 1985, ch. 319, 4, eff from and after July 1, 1985.

Section 39-3-365. Confidentiality of library user records.

Records maintained by any library funded in whole or in part by public funds, which contain information relating to the identity of a library user, relative to the user's use of books or other materials at the library, shall be confidential. Such records may only be released with the express written permission of the respective library user or as the result of a court order.

Sources: Laws, 1992, ch. 521, 1, eff from and after July 1, 1992.

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