

GREENVILLE (SC) COUNTY LIBRARY SYSTEM

INTERNET USE POLICY

The Greenville County Library System ("Library") provides access to the Internet, both wired and wirelessly ("WiFi"), to enable Library patrons and staff to access resources provided by the Library and to connect to information beyond that contained in the Library's collection. The Library provides Internet access within the limits of available space, equipment, time, personnel, and other resources, including network stability. The Library cannot guarantee access to the Internet. The Library is not a commercial Internet service provider. In offering Internet access the Library has no intent to create a public forum with respect to the receipt and communication of information through the Internet.

The Library recommends interesting and useful Internet destinations and resources for Library patrons and staff to access and explore. However, the Internet is an ungoverned and unregulated source of both verified and unverified information. While the Internet does contain a wealth of useful material, it also provides access to information that may be inaccurate, controversial, illegal, personally offensive to the viewer or inappropriate for children. The Library's *Code of Conduct* applies to any individual using the internet in a library location or while on library property.

Access Limitations

The Library realizes that electronic display is more public in nature than other print media. It also recognizes that while it is impossible to monitor totally all the information or images that can be accessed on the Internet some amount of control can be exercised. Therefore, the Library reserves the right to implement software and network control and filter mechanisms or other technology protection measures designed to limit or restrict access to sources of information or images deemed inappropriate for Library dissemination. The Library reserves the right to claim and take advantage of the "Good Samaritan" immunity protections for voluntary use of screening and blocking mechanisms and procedures to restrict access to pornographic, violent, harassing, or otherwise objectionable materials, whether or not such material is otherwise constitutionally protected in other forums or places, as provided in federal law in Title 47, United States Code, Section 230 (c) (47 U.S.C. § 230 (c) (1) and (2)).

The Library's use of filtering technology is designed to:

- A) limit or restrict access to sources of information or images that may be deemed to be obscene within the scope of federal and state obscenity laws and the constitutional test for obscenity provided by the United States Supreme Court in the "Miller Test" announced in *Miller v. California*, 413 U.S. 15, 24-25 (1973), *Smith v.*

United States, 431 U.S. 291, 300-02, 309 (1977), Pope v. Illinois, 481 U.S. 497, 500-01 (1987), etc.

- B) limit or restrict access to images that may be deemed to be Child Pornography, containing a visual representation of a minor under 18 years of age engaging in sexually explicit conduct, as defined in 18 U.S.C. § 2256.
- C) limit or restrict access to sources of pornographic information or images that may be deemed to be inappropriate for minors, "obscene as to minors" or "Harmful to Minors," as that term is used in federal (47 U.S.C. § 231 (e)(6)) and similar state laws, for the age groups of minors who may be exposed to such materials while a computer providing access to the Internet is being used by a minor or is being used in an area accessible to or frequented by minors.
- D) limit or restrict access to material that does not meet the established selection criteria that the Library applies to all other material as defined in the Library's *Collection Development and Maintenance Policy*, including material that violates federal, state or local laws.
- E) avoid or minimize the opportunity that unrestricted access to the Internet would result in exposure and exhibition of offensive sexual materials that could contribute to a hostile work environment or discipline problems within the Library environment.

Access to Blocked Websites

The Library has established procedures for providing access to websites that are blocked. Should an adult user (18 yrs. or older) desire to access a website that has been blocked, he or she can request that the block be disabled. If the site appears to be in accord with the Library's *Internet Use Policy*, a staff member will temporarily disable the block to allow the adult patron access to the website for "bona fide research or other lawful purpose".

Any user may request that a website be unblocked or blocked indefinitely and, depending on whether or not the site appears to be in accord with the Library's *Internet Use Policy* after being reviewed by designated staff, the site will be unblocked or blocked.

Disclaimers Regarding Internet Use

The Library cannot verify or be held responsible for the accuracy, reliability, quality, timeliness or legality of information found on the Internet. The Library has no control over the information contained on the Internet and is not responsible for its content. The Library cannot be held liable for the conduct of Internet users. The Library may not be able to control access to materials or protect users from materials they may find offensive. Library patrons and staff access the Internet at their own discretion and risk, and they are responsible for evaluating the validity and appropriateness of information accessed. Users should be aware that neither the Internet nor any publicly accessible library network is a secure or private medium and that third parties may be able to obtain information regarding users' activities. The Library does not warrant that Library-

created Web sites, the servers that make them available or any links from its sites to other Web sites are free from viruses or other harmful components.

The Library reserves the right to refuse access to the Internet to any person or persons for the violation of this or any other policy of the Library, in accordance with applicable law. Unlawful activities may result in prosecution by local, state, and/or federal authorities.

Child Internet Protection Act (CIPA) Internet Safety Warning and Notice to Parents and Guardians

Because the Internet includes some information which parents and guardians may deem to be unsuitable for their children, parents and guardians must provide the necessary guidance and oversight of their children. Parents and guardians must ensure that they take all appropriate actions with respect to the use of the Internet at the Library by their minor children. Although the Library System employs a technology protection measure to filter websites with the intent of providing for the safety and security of minors using the Library services, the Library and its staff cannot act in the place of a parent or guardian. Parents and guardians have the responsibility for their children's use of the Internet including:

- assuring the safety and security of minors when using electronic mail, chat and other forms of direct electronic communications;
- preventing unauthorized access, including "hacking" and other unlawful activities by minors online; and
- protecting against unauthorized disclosure, use and dissemination of personal identification information regarding minors.

Conditions of Internet Use

As a condition of Internet use at the Library, each user must agree to comply with all applicable laws, rules and the Library's established *Public Computer Use Regulations*. Any individual's failure to comply with the Library's *Public Computer Use Regulations* and policies may result in an individual's restriction/termination of Library privileges, exclusion from Library property for the remainder of the day to permanent exclusion, and/or arrest/prosecution. Any individual excluded from Library property may appeal in writing to the Library Executive Director. Disputed decisions of the Executive Director may be appealed in writing to the attention of the Library Board, 25 Heritage Green Place, Greenville, SC, 29601. An individual receiving a *Trespass Warning Notice* wishing to appeal the notice must submit a request for a hearing to the Library's Board of Trustees within five (5) business days of receiving the written notice per the SC Code of Laws 16-11-625(a)(2)(c).

No user shall access information or images that the filtering technology is employed to block on any electronic device, with exception of Library staff who may need to access

such information or images in order to consider Library patron requests to unblock or block websites.

Further, each user, except staff performing their assigned job tasks, must agree to take no action on the Internet which could cause the Library to incur any expense beyond its general access fees. By initiating use, the user agrees to the fullest extent permitted by law to hold the Library harmless from any liability for any wrongful conduct of the user, including without limitation, any such unauthorized expense, costs and attorney's fees. Unlawful activities may result in prosecution by local, state and/or federal authorities.

Severability

If any section, sub-section, sentence, clause or any part of this policy is for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this policy; and it shall be construed to have been the Board's intent to pass this policy without such unconstitutional, inoperative or invalid part therein; and, the remainder of this policy, after the exclusion of such part or parts, shall be held and deemed to be valid as if such excluded parts had not been included herein.

Patron Privacy

The Library will not intentionally sell, rent or otherwise distribute or disclose a user's e-mail address, postal address, phone number, web sites visited, computer time used, borrower records or other personal information, individually or in aggregate, unless required to do so by court order.