

Hinsdale Public Library

Internet Access and Computer Use Policy

Policy Purpose

The Hinsdale Public Library Board of Trustees has established the following policy to guide the provision of access to the Internet and public computers to Library patrons. The Board's intent is to provide access that fairly and effectively serves the diverse needs of the citizens of the Village of Hinsdale. Offering free public access to the Internet is consistent with the Library's mission of providing cultural, informational and educational support for the community, and the Library's policy in this regard reflects the principles articulated in the American Library Association's Library Bill of Rights, the associated Access to Electronic Information, Services and Networks statement and the Freedom To Read Statement (appended).

Internet Access

The Hinsdale Public Library provides its patrons with free, unfiltered access to the Internet via public computers and its wireless network. In accordance with the Library's Reference Service Policy, the Library will guide users toward accurate and useful resources on the Internet upon request and and, in anticipation of need, will strive to provide useful links on the Library's website.

Patrons using the Internet at the Hinsdale Public Library must agree to the conditions of the online Internet User Agreement (appended) each time they access the Internet from the Library's public computers or wireless network. Failure to comply with the terms of the User Agreement may result in the loss of computer privileges and, in the case of damage to the Library's equipment, fines and legal action.

Because all Internet access at the Library is unfiltered, children under 16 years of age must have explicit permission from a parent or legal guardian before accessing the Internet from the Library's public computers. Parents may grant permission by completing the Internet Permission Form (appended) at the Circulation Services Desk, or parents may choose instead to be present and give oral permission each time their child wishes to use the Internet. By granting permission for a child to access the Internet at the Library, either orally or in writing, parents agree that the child's use of the Internet is subject to the terms and conditions of the Library's Internet User Agreement (appended). Children without Internet permission are allowed to use productivity applications and games on computers in their age-appropriate area.

Computer Use

Computers are available on a first-come-first-served basis to all patrons holding a valid library card or guest pass but may be reserved in advance by Hinsdale cardholders.

HPL offers public computers in three different areas of the Library. The computers in the Reference and Adult Services area are available for use by individuals 12 years old and older. The computers in the Teen Lounge are available for use by individuals aged 12 to 19. The computers in the Youth and Young Adult Services area are available for use by children and teens as well as adults accompanying young children in the Library.

Fees

No fees are charged to access the Internet or to use the Library's public computers. Fees are charged for storage devices to use in downloading information from the Internet and for printing.

Policy Review and Revision

This policy will be reviewed by the Board at least every three years.

HINSDALE PUBLIC LIBRARY

Internet User Agreement

To use the Internet at the Hinsdale Public Library, the user must agree to abide by the terms of this agreement.

- Users under the age of 16 must have explicit permission from a parent or guardian to use the Internet. The permission form is available at the Circulation Services Desk.
- The user recognizes that the Library cannot be held responsible for content on the Internet.
- The user must obey local, state and federal laws including, but not limited to, copyright, fraud, obscenity and privacy.
- Internet service will not be used in any way that harasses others, that violates the Library's security system, or that violates licensing agreements.
- Personal usage will not disrupt others, including but not limited to the display of offensive audio or visual material, at the sole discretion of Library staff.
- The user will not damage or alter the library's equipment, software or network.
- The user will not fraudulently use another's library card or identification to sign up for Internet usage or loan their card or identification to another for such use.
- Bandwidth limitations will be implemented on an ongoing and as-needed basis in order to ensure equal access for all users.

Failure to abide by this agreement will result in suspension of Internet privileges and possible legal action.

Hinsdale Public Library

Internet Permission Form

If under the age of 16 the following must be signed by a parent or legal guardian:

I give permission for my child to access the Internet at the Hinsdale Public Library. I understand that the Library has no control over the content of the Internet and that the Library does not employ any filtering software, and I shall not hold the Library responsible for what my child views on the Internet. I have discussed appropriate Internet behavior with my child and accept full responsibility for supervising my child's use of the Internet and for my child's use of the Internet in accordance with the Library's Internet User Agreement, set forth below.

Parent's Signature _____ Date _____

Child's Name (PLEASE PRINT) _____

Child's Birth Date _____

Child's Card# _____

Staff Initials and Date _____

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Material should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use the library should not be denied or abridged because of origin, age, background or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of groups requesting their use.

Adopted June 18, 1948. Amended February 2, 1961, and January 21, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

Access to Electronic Information, Services, and Networks

An Interpretation of the LIBRARY BILL OF RIGHTS

Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.¹ Libraries and librarians protect and promote these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

The American Library Association expresses these basic principles of librarianship in its Code of Ethics and in the Library Bill of Rights and its Interpretations. These serve to guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to electronic information, services, and networks.

Libraries empower users by providing access to the broadest range of information. Electronic resources, including information available via the Internet, allow libraries to fulfill this responsibility better than ever before. Issues arising from digital generation, distribution, and retrieval of information need to be approached and regularly reviewed from a context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are not swept away.

Electronic information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it. Even so, many people lack access or capability to use electronic information effectively. In making decisions about how to offer access to electronic information, each library should consider its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures, or regulations relating to electronic information and services should be scrutinized for potential violation of user rights.

User policies should be developed according to the policies and guidelines established by the American Library Association, including Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities.

Users' access should not be restricted or denied for expressing or receiving constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved or utilized electronically is constitutionally protected unless determined otherwise by a court of law with appropriate jurisdiction. These rights extend to minors as well as adults (Free Access to Libraries for Minors; Access to Resources and Services in the School Library Media Program; Access for Children and Young Adults to Nonprint Materials).²

Libraries should use technology to enhance, not deny, access to information. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with Privacy: An Interpretation of the Library Bill of Rights.

Equity of Access

The Internet provides expanding opportunities for everyone to participate in the information society, but too many individuals face serious barriers to access. Libraries play a critical role in bridging information access gaps for these individuals. Libraries also ensure that the public can find content of interest and learn the necessary skills to use information successfully.

Electronic information, services, and networks provided directly or indirectly by the library should be equally, readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive their major support from public funds (50.3 Free Access to Information; 53.1.14 Economic Barriers to Information Access; 60.1.1 Minority Concerns Policy Objectives; 61.1 Library Services for the Poor Policy Objectives). All libraries should develop policies concerning access to electronic information that are consistent with ALA's policy statements, including Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights, Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities, and Resolution on Access to the Use of Libraries and Information by Individuals with Physical or Mental Impairment.

Information Resources and Access

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Determining the accuracy or authenticity of electronic information may present special problems. Some information accessed electronically may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is

appropriate. Parents and legal guardians who are concerned about their children's use of electronic resources should provide guidance to their own children.

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained electronically. Libraries have an obligation to provide access to government information available in electronic format.

Libraries and librarians should not deny or limit access to electronic information because of its allegedly controversial content or because of the librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to electronic information solely on the grounds that it is perceived to lack value.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the Library Bill of Rights (ALA Policy Manual, 53.1.17, Resolution on the Use of Filtering Software in Libraries). If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.³

Electronic resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to electronic resources no less than they do to the more traditional sources of information in libraries (Diversity in Collection Development).

¹. *Martin v. Struthers*, 319 U.S. 141 (1943); *Lamont v. Postmaster General*, 381 U.S. 301 (1965); Susan Nevelow Mart, *The Right to Receive Information* (PDF), 95 *Law Library Journal* 2 (2003).

². *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969); *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, (1982); *American Amusement Machine Association v. Teri Kendrick*, 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

³. "If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user's election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject

for an as-applied challenge, not the facial challenge made in this case." *United States, et al. v. American Library Association* (PDF), 539 U.S. 194 (2003) (Justice Kennedy, concurring).

Adopted January 24, 1996, by the ALA Council; amended January 19, 2005.

Freedom to Read Statement

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.
2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.
3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.
4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.
5. It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.
6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.
7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.

Based on the Freedom to Read Statement adopted June 25, 1953 and revised January 28, 1972, January 16, 1991, July 12, 2000 by the ALA Council and the AAP Freedom to Read Committee.