

## **Sinclairville Free Library Internet Safety Policy**

**Adopted September 28, 2016**

### **Introduction**

The Sinclairville Free Library affirms the legal and constitutional rights to privacy for patrons accessing materials and information from a library. In compliance with the Federal Children's Internet Protection Act, it is the policy of the Library to: (a) deter user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) deter unauthorized access and other unlawful online activity; and (c) deter unauthorized online disclosure, use, or dissemination of personal identification information of minors.

### **Definitions**

Key terms are as defined in the Children's Internet Protection Act.\*

### **Privacy**

The Library will take reasonable and prudent measures to protect the privacy of data provided by patrons when using the System's Integrated Library System (ILS) and the shared wide-area network. Per New York Civil Practice Law & Rules Section 4509, library records, including internet activity and search histories, are considered confidential and private.

#### ***New York Civil Practice Law & Rules Section 4509 Library Records.***

*Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.*

### **Access to Inappropriate Material**

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet access, or other forms of electronic communications, to inappropriate information, 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. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Library Manager or appointed representative.

No Internet filter is 100% effective and library staff cannot act *In Loco Parentis*. Parents/guardians are responsible for the Internet behavior of their minor children.

The Library will comply with the requirements of Children's Internet Protection Act while upholding the constitutional and legal rights to privacy and confidentiality of their patrons.

### **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety, and security of users of the Library's computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

### **Adoption**

This Internet Safety Policy was adopted by the Board of Trustees at a public meeting, following normal public notice, on September 28, 2016.

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\* CIPA definitions of terms:

**MINOR.** The term "minor" means any individual who has not attained the age of 17 years.

**TECHNOLOGY PROTECTION MEASURE.** The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are: 1. OBSCENE, as that term is defined in section 1460 of title 18, United States Code; 2. CHILD PORNOGRAPHY, as that term is defined in section 2256 of title 18, United States Code; or 3. Harmful to minors.

**HARMFUL TO MINORS.** The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that: 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, 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.

**SEXUAL ACT; SEXUAL CONTACT.** The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

Reviewed and Approved:

June 26, 2024