

KANAWHA COUNTY PUBLIC LIBRARY ELECTRONIC RESOURCES AND USAGE POLICY

Patrons using electronic resources and technology provided by the Library, including the Internet, must abide by the Policies set forth in this statement and all other relevant policies and procedures of the Library, including the *Code of Public Behavior*. All provisions of these Policies are subordinate to, and all patrons must likewise abide by, local, state, and federal laws and regulations.

Patrons in violation of the Library's policies must cease these behaviors immediately. Violations observed by Library staff may need to be reported to law enforcement agencies in accordance with criminal laws. Violation of these policies or abuse or tampering with the Library's equipment, software, or technology may result in offender being barred from the Library and all library services, referral to law enforcement, or other legal action as appropriate under the circumstances of each instance.

Privacy

Patrons are cautioned that the Library technologies are in public areas, which are shared by Library users of all ages, backgrounds, and sensibilities. Privacy is not ensured. Patrons are asked to keep this in mind and to respect others when accessing information and images.

Fee Structure

The Library seeks to recoup material costs by charging reasonable fees based on material and machine maintenance costs. These fees include faxing, copying, and printing. Makerspaces may have additional fees. The fees are posted or published throughout the Library and are subject to change. Patrons, or legal guardians of minor patrons, are responsible to pay any cost for materials, use of machines, clean-up expenses, or user-incurred loss or damage to KCPL property.

Copyright

Patrons must follow copyright laws when duplicating materials using any library technology including copies, scanning, printing, and faxing. Patrons are required to respect intellectual property rights by making only authorized copies of copyrighted material or using only licensed software or data. The patron using the Library technology is liable for any infringement of copyright law or for illegal downloading or use of software or data. The copyright laws of the United States (Title 17, U.S. Code) govern making reproductions of copyrighted material. All patrons are personally responsible for understanding and complying with the law.

Technology

Patrons must respect and properly use the Library's available hardware technology. Library hardware technology includes computers, laptops, tablets, makerspace equipment, printers, copiers, fax machines, and audio-visual resources. Patrons must respect and properly use the Library's available and installed software technology. Library software technology includes Office Suites, Adobe Suites, Internet Browsers, makerspace software, design software, operating systems including drivers, and any programs installed by authorized Library staff.

Patrons are prohibited from abusing or tampering with the Library's hardware technology and software technology. Patrons may not install any unauthorized programs or software on Library

equipment or modify, alter, override, or delete any existing programs or software of the Library. Violations are taken seriously and may result in the offender being barred from the Library and all library services, referral to law enforcement, or other legal action as appropriate under the circumstances of each instance.

Internet

The Library does not control information found on the Internet and, therefore, cannot be held responsible for its content. Since the Internet is not private or secure, patrons are advised to use caution when sending personal information such as name, address, social security number, credit card number, or other personally identifiable information over the Internet. The Library expressly **DISCLAIMS** any liability or responsibility for any damages or obligations, direct or indirect, arising from the patron's use of the Library's connections to the Internet or use of its technology. Not all information available via the Internet is accurate, current, complete or free.

Internet access is provided equally for all patrons. Legal guardians are solely responsible for overseeing their minor children's internet access. Library staff does not monitor internet access or use of patrons including minors.

The Library abides by the Children's Internet Protection Act ("CIPA"). Under the requirements of CIPA, the Library policies and procedures:

- Restrict access by minors to inappropriate matter on the internet and World Wide Web;
- Ensure the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
- Prevent unauthorized access including "hacking" and other unlawful activities by minors online;
- Prevent unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- Implement measures designed to restrict minors' access to harmful materials.

To meet the CIPA requirements, the Library has implemented filtering on the Library's network. The filter installed on technology at the Library protects against access to visual depictions of obscenity, child pornography, and, in the case of persons under the age of 18 years, materials that are deemed "harmful to minors." Patrons should be aware, however, that all currently available filtering results in a degree of both "under blocking" (i.e., permitting access to certain material that falls within the foregoing categories) and "over blocking" (i.e., denying access to certain constitutionally protected material that does not fall within the foregoing categories). The Library has selected filtering that best complies with CIPA while attempting to provide Library users with the broadest possible access to constitutionally protected speech and information.

Approved by the Board August 12, 2024