

BELGRADE COMMUNITY LIBRARY

**106 N BROADWAY
BELGRADE, MT 59714
406-388-4346
www.belgradelibrary.org**

PUBLIC ACCESS NETWORK POLICY

Access

The Belgrade Community Library endeavors to develop collections, resources, and services that meet the cultural, informational, recreational, and educational needs of our diverse, multicultural communities. It is within this context that the Belgrade Community Library offers access to the internet and other electronic resources.

Internet Content Disclaimer

The internet provides access to a wide variety of information and services whose contents may be offensive to some. Not all sources on the internet provide accurate, complete, or current information. Patrons must exercise judgment and evaluate for themselves the value of the information found online.

The library is a community resource to be used responsibly and with respect for other patrons including our youth patrons.

Monitoring & Filters

The library staff reserves the right to terminate a computer session that disrupts library patrons or services or that involves user behavior that violates the library's policies including time limitations on computer usage.

The internet is a dynamic resource containing vast amounts of information. Because of the nature of the way internet filters operate, these may unintentionally block sites which contain valid and valuable information. Also, filters do not block all potentially offensive sites. Belgrade Community Library has implemented filtering in some form on all public computers, and the computers are labeled as such. The teen computers may have stricter filter settings than adult computers. One adult computer has the same filter settings as the teen computers, and this is indicated on the signage.

Instructions and assistance removing filters for users 17 years of age and older ("adult user") is available upon request at the circulation desk. If an adult user needs assistance removing a filter, staff will assist with as little intervention as possible. Forms are available for those that wish to request the blocking or unblocking of a site anonymously. Submitted forms will be reviewed by the library Technology Team, with guidance from the Library Director and the Library Board of Trustees.

Parents or designated guardians who wish to limit or restrict access are strongly encouraged to

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oversee use of the internet and other forms of electronic information by minors under their supervision. Parents or designated guardians who wish minors under their supervision to have unrestricted access to the internet must request the filters to be lifted in person before the minor signs on to the computer.

Acceptable Use

Rules of Conduct

Library users are expected to use the following guidelines based on common sense, decency, and civility applied to the networked computing environment.

1. Users will sign in to an available computer using their library card and PIN. If a patron does not have a library card, a guest pass may be requested at the circulation desk. If a computer is not available, users are expected to reserve a computer at the “computer reservation” computer near the entrance of the library. The express computer does not accept reservations.
2. Each adult user is granted 60 minutes of computer use per session, unless they are using the express computer which limits each session to 20 minutes. Teen computers are limited to 40 minute session. 120 minutes total of computer use is available per person per day. If, after the first session is complete, computer stations continue to be available, a user may continue to use the station until the station is needed by the next user, or until their 120 minute quota has been reached. Library staff reserves the right to request patrons leave the computer station once the first session has expired.
3. Prompt payment is required by users who incur charges for printing or other authorized fees.
4. Users must end their session and leave the station when asked to do so by authorized library staff, even if they have not completed their access session.
5. By mutual agreement, two persons may share one access session as long as their behavior or conversation does not disturb other users or library staff.
6. Repeat violations of the Public Access Network policy may result in suspension of computer privileges.

Response to Violations

The user’s access to the library’s computer network and internet is a privilege, not a right. A user violates this policy by his or her own actions. Failure to comply with this policy and its procedures will result in the forfeiture of the user’s privilege to access the network. The Computer Use Due Process policy outlines the steps to be taken in response to violations of this policy. Patrons potentially in violation of the policy will have the opportunity to file a due process form.

Unacceptable Uses of Computers

Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:

1. Uses that violate the law or encourage others to violate the law. Transmitting offensive or harassing messages; offering for sale or use any substance for which possession is prohibited by law; viewing, transmitting or downloading obscene content, child pornography, or other materials that violate or encourage others to violate the law.

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2. Uses that cause harm to others or damage to their property. Engaging in defamation; uploading harmful programming or vandalism; participating in any form of unauthorized access to other computers, networks, or information systems.
3. Uses that jeopardize the security of access of the computer network or other networks on the internet. Disclosing or sharing the user's password with others; impersonating another user; using one's own software programs on the library's computers; altering the Library's computer settings, damaging or modifying computer equipment or software.
4. Uses that compromise the safety and security of minors when using or viewing internet content, e-mail, chat rooms and other forms of direct electronic communications.
5. Uses that violate confidentiality of information.

Please note the Belgrade Community Library's Public Access Network Policy, including patrons' use of the internet and other electronic communications, is subject to State and Federal law.

Belgrade Community Library believes in freedom of information. The library is public space. Deliberate display of some materials that are not defined as obscene, based on the Montana Code Annotated (see below), may still constitute sexual harassment or violate the Library's Patron Behavior Policy. Repeated actions that create a disturbance or that constitute sexual harassment may result in the loss of some or all library privileges.

Applicable provisions of the Montana Code Annotated include *but are not limited to*:

Montana Code Annotated 2015

5-5-625. Sexual Abuse of Children. (1) A person commits the offense of sexual abuse of children if the person:

...

(d) knowingly processes, develops, prints, publishes, transports, distributes, sells, exhibits, or advertises any visual or print medium, including a medium by use of electronic communication in which a child is engaged in sexual conduct, actual or simulated;

(e) knowingly possesses any visual or print medium, including a medium by use of electronic communication in which a child is engaged in sexual conduct, actual or simulated

[Persons convicted of sexual abuse of children are potentially subject to life imprisonment and fines of up to \$10,000]

45-6-311. Unlawful use of a computer. (1) A person commits the offense of unlawful use of a computer if the person knowingly or purposely:

(a) Obtains the use of any computer, computer system, or computer network without consent

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of the owner;

(b) alters or destroys or causes another to alter or destroy a computer program or computer software without consent of the owner; or

(c) obtains the use of or alters or destroys a computer, computer system, computer network, or any part thereof as part of a deception for the purpose of obtaining money, property, or computer services from the owner of the computer, computer system, computer network, or part thereof or from any other person.

[Persons convicted of unlawful use of a computer are potentially subject to up to 10 years imprisonment and fines equal to 2 ½ times the value of the property used, altered, destroyed or obtained]

45-8-201. Obscenity. (1) A person commits the offense of obscenity when, with knowledge of the obscene nature of the material, the person purposely or knowingly:

(a) sells, delivers, or provides or offers or agrees to sell, deliver, or provide any obscene writing, picture, record, or other representation or embodiment of the obscene to anyone under 18 years of age;

...

(b) publishes, exhibits, or otherwise makes available anything obscene to anyone under 18 years of age.

(2) A thing is obscene if:

(a) (i) it is a representation or description of perverted ultimate sexual acts, actual or simulated;

(ii) it is a patently offensive representation or description of normal ultimate sexual acts, actual or simulated; or

(iii) it is a patently offensive representation or description of masturbation, excretory functions, or lewd exhibition of the genitals; and

(b) taken as a whole:

(i) applying contemporary community standards, appeals to the prurient interest in sex;

(ii) portrays conduct described [above] in a patently offensive way; and

(iii) lacks serious literary, artistic, political, or scientific value.

...

(5) Cities, towns, or counties may adopt ordinances or resolutions that are more restrictive as to obscenity than [] this section.

[Persons convicted of obscenity are potentially subject to up to 6 months imprisonment and fines of up to \$500]

45-8-213. Privacy in communications. (1) [] A person commits the offense of violating privacy in communications if the person knowingly or purposely:

(a) With the purpose to terrify, intimidate, threaten, harass, annoy, or offend, communicates with a person by electronic communication and uses obscene, lewd, or profane language, suggests a lewd or lascivious act, or threatens to inflict injury or physical harm to the person or property of the person. The use of obscene, lewd, or profane language or the making of a threat or lewd or lascivious suggestions is prima facie evidence of an intent to terrify, intimidate, threaten, harass, annoy, or offend.

(b) Uses an electronic communication to attempt to extort money or any other thing of value from a person or to disturb by repeated communications the peace, quiet, or right of privacy of a person at the place where the communications are received.

[Persons convicted of a first offense of privacy in communications are subject to up to 6 months imprisonment and fines of up to \$500. Harsher penalties apply to any subsequent offenses]

These prohibited activities are applicable to all devices and systems on the library's network, World Wide Web site, or other non-specified computer or network resources managed by the library.

Misuse of library computers or network resources may constitute trespassing or disruptive behavior, both of which carry potential legal penalties, including possible imprisonment, under the ordinances of the City of Belgrade and Montana State Law.

Use of the library's internet and other electronic media are also subject to Federal law and applicable penalties.

Disclaimers

While the library endeavors to provide access to information of the highest quality, due to the nature of the internet and other electronic media, the library specifically disclaims any warrant as to the information's accuracy, timeliness, authoritativeness, usefulness fitness, or suitability for a particular user or purpose.

The library computers are public workstations; therefore, they are not private or secure.

The library will have no liability for direct, indirect or consequential damages related to the use of information accessed through the library's internet service or other electronic communications.

Since software and information downloaded from any sources, including the internet, may contain computer viruses, users are advised to utilize virus checking software on their home

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computers. The library is not responsible for damage to user's disks or computers or for any loss of data, damage or liability that may occur from use of the library's network.

By use of the library's systems the user agrees that the library can assume no liability for any loss or damage to the user's data and hardware or for any other liability for damage or injury arising from the library's provision of the service or consequence arising there from. Users indemnify and hold harmless the Belgrade Community Library, the City of Belgrade and Gallatin County against any liability for damage or loss arising from use or misuse of the services provided by or through the library.

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