

Mulvane Public Library

Technology Use Policy

Board Amended and Reviewed February 10th, 2025

USE OF THE LIBRARY'S TECHNOLOGY CONSTITUTES AGREEMENT WITH THIS POLICY.

The Library is committed to the principles of intellectual freedom and the freedom to access information from a variety of sources. Online and digital resources provide library patrons access to a diverse variety of information beyond that contained in the Library's physical collection. Some content, which the Library does not control, may be offensive or illegal under state and federal laws. The purpose of this policy is to outline the Library's responsibilities (includes restricting access to child pornography, harmful to minors or obscene), processes, procedures, and services related to the Internet and technology, as well as the patrons' responsibilities when accessing digital content through the Library's portals.

The Mulvane Public Library is in compliance with the Kansas Children Internet Protection Act (CIPA) K.S.A 2013 Supp. 75-2589 and the Kansas Open Records Act 45-221 (a) (23). The Kansas CIPA Statutes are available in the Appendix Section.

A. Library's Responsibilities

The Library provides online and digital access for all patrons in accordance with applicable state and federal laws. In adherence to the American Library Association's Bill of Rights, the Mulvane Public Library will not deny or abridge access to materials and services because of origin, age, background, or views.

However, the Library does use Internet filtering software on all of its Internet access computers to block content that is child pornography, harmful to minors or obscene, as required by the Kansas CIPA Statute.

B. Online User Responsibilities

Patrons may:

Download files from a website directly to any supported portable storage media.

Patrons shall:

Respect the legal protection provided by copyright license to software, books, articles, and other electronic files.

Respect the privacy of others.

Patrons shall not:

Access illegal Internet websites as defined by applicable state or federal law.

Access web pages or websites containing depictions that are pornographic in nature and/or child pornography, harmful to minors or obscene.

Gain or try to gain unauthorized access to restricted resources or entities.

“Hack into or interfere” with other patrons, system operations, integrity or security of the Library computer network or any computer system.

Attempt to gain access to another person’s files or passwords.

Intentionally obtain copies or modify files, passwords, or data that belong to the Library or its patrons.

Harass and/or bully others with messages, prints, images, or software programs.

Load or run any software other than what currently resides on the Library’s Public Access Computers.

Tamper with, mishandle, damage, or attempt to damage computer hardware.

Interfere with, deliberately attempt to circumvent, or tamper with the filtering software.

Place food or beverage containers on a shared surface with technology. No eating in the Library unless associated with a program or prior permission has been granted.

It will be considered a violation of this Policy if a patron clearly demonstrates the intent to violate the Policy even if no violation occurs.

The Library does not act in loco parentis (in place of parents) and Library staff does not have the authority to take responsibility for your child.

C. Technology Use Procedures

Patrons with active library cards may utilize any open computer station with the following exceptions: stations in the youth areas are restricted to patrons 18 and under and patrons needing access to the microfilm collection will be given priority on the genealogy computer station.

Reservations for computers and devices may be made at the staff desk and/or self-service print station.

The Library may reserve the entire computer lab for technology classes as needed.

Per the Kansas CIPA Statute, a staff member, if capable, may disable a technology protection measure (filters) if the request is made by an adult and it is for legitimate research or other lawful purpose. These requests must be made to the Director or Assistant Director. This request will require assistance from an off-site technology staff person, so immediate access may not be granted.

Patrons are limited to one, hour long computer/in-house device session per day. If there is no one waiting, the session may be extended to a maximum of three hours.

The in-house, public laptop(s) may only be checked out by a card holder who is 16 years or older. Other in-house devices may be checked out by all ages and used throughout the Library. Patrons are responsible for the entire value of the device once it is checked out on an account.

In-house devices check out at the staff desk and are limited to one hour unless otherwise noted. If a patron has the device longer than an hour, fines will be added every ten minutes. It is the patron's responsibility to monitor their time. If a patron needs the device for a longer period of time, two renewals are possible through the staff desk.

D. Printing

The Library makes available at a nominal charge printing from public access computers. Payment is due at time of printing, including all printing errors.

E. Staff Assistance

The Library encourages patrons to attend technology classes or make an appointment for technology help for more one-on-one technology instruction. Library staff are not trained to provide technical assistance with patrons' personal devices.

F. Limitation of Liability

The Library assumes no liability for loss or damage to the patron's data, the patron's portable storage media or for any damage or injury arising from invasion of the user's privacy or from viruses that may infect the patron's portable storage media or files.

The Library cannot guarantee that Internet filters will block offensive and /or illegal materials, although filters are actively in place.

Patrons assume all risks when using the public WiFi network and/or devices.

G. Enforcement and Consequences for Violating Policy

The Library electronically monitors all of its computers for violations of this Policy through Internet filtering software, the observations of Library staff and other patrons, and other means.

Staff is authorized to take immediate action to protect the security of computers and the network or to enforce any part of this Policy, including but not limited to confiscating Library property immediately, requiring a patron to leave the computer or the premises, and contacting law enforcement authorities.

The Library considers violations of this Policy as a violation of the Code of Conduct. Penalties imposed under the Code of Conduct may be imposed for any violation of this Policy.

H. WiFi Access

To access the WiFi network, patrons will need to receive the current password to connect, which periodically changes. The Library can only guarantee the availability of the WiFi during operating hours.

Board approved July 11th, 2016, and amended February 11th, 2019. Board reviewed January 10th, 2022.

Appendix

Kanas CIPA Statute: Full Text.

75-2589. Kansas children's internet protection act; public libraries; school districts; state librarian; rules and regulations; liability.

(a) Any school district that provides public access to a computer shall implement and enforce technology protection measures to ensure that no minor has access to visual depictions that are child pornography, harmful to minors or obscene. Each board of education shall adopt policies for the enforcement of this subsection. Such policies and any standards or rules promulgated pursuant to such policies shall be made available to the public.

(b)

(1) Any public library that provides public access to a computer shall implement and enforce technology protection measures to:

(A) Ensure that no minor has access to visual depictions that are child pornography, harmful to minors or obscene; and

(B) ensure that no person has access to visual depictions that are child pornography or obscene.

(2) An employee of a public library may disable a technology protection measure if:

(A) Requested to do so by a library patron who is not a minor; and

(B) the technology protection measure is disabled only to enable access for legitimate research or other lawful purpose.

(c) The state librarian shall establish standards and promulgate rules and regulations for the enforcement of the provisions of subsection (b). Such standards and rules and regulations shall be distributed to the public libraries in this state, posted in a conspicuous place in such public libraries and made available to the public.

(d) The governing body of each public library shall adopt a policy to implement and enforce the provisions of subsection (b) in accordance with the standards and rules and regulations described in subsection (c). Such policy shall be reviewed at least once every three years by such governing body and shall:

- (1) State that the purpose of the policy is to restrict access to those materials that are child pornography, harmful to minors or obscene;
- (2) provide how such public library will meet the requirements of this section;
- (3) require such public library to inform its patrons of the standards and rules and regulations that library employees follow to enforce the provisions of this section; and
- (4) require such public library to inform its patrons that procedures for the submission of complaints about the standards and rules and regulations, the enforcement thereof, or observed patron behavior, have been adopted and are available for review.

(e) Any school district or public library that is in compliance with the provisions of this section shall not be liable for any damages arising out of or related to a minor gaining access to visual depictions that are child pornography, harmful to minors or obscene through the use of a computer that is owned or controlled by such school district or public library.

(f) As used in this section:

- (1) "Board of education" means the board of education of any school district;
- (2) "child pornography" means a visual depiction of a minor shown or heard engaging in sexually explicit conduct with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person;
- (3) "harmful to minors" shall have the same meaning as that term is defined in K.S.A. 2013 Supp. 21-6402, and amendments thereto;
- (4) "minor" means any person under 18 years of age;
- (5) "obscene" shall have the same meaning as that term is defined in K.S.A. 2013 Supp. 21-6401, and amendments thereto;
- (6) "public library" means any library established pursuant to article 12 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and any other library which serves the general public and is funded in whole or in part from moneys derived from tax levies;

(7) "school district" means any public school district organized under the laws of this state;

(8) "technology protection measure" means any computer technology or other process that blocks or filters online access to visual depictions; and

(9) "visual depiction" shall have the same meaning as that term is defined in K.S.A. 2013 Supp. 21-5510, and amendments thereto.

(g) This act shall be known and may be cited as the Kansas children's internet protection act. History: L. 2013, ch. 98, § 1; July 1.

Kansas CIPA Statute: Public Library Requirements

Article 4. Children's Internet Protection; Public Library Requirements

54-4-1. Public library internet access policy; adoption and review. (a) The governing body of each public library shall adopt an internet access policy that meets the applicable requirements of subsection

(b) and K.S.A. 2013 Supp. 75-2589, and amendments thereto.

(b) Each internet access policy shall meet the following requirements:

(1) State that the purpose of the policy is to restrict access to those materials that are child pornography, are harmful to minors, or are obscene;

(2) state how the public library will meet the applicable requirements of K.S.A. 2013 Supp. 75-2589, and amendments thereto;

(3) require the public library to inform its patrons of the procedures that library employees follow to enforce the applicable requirements of K.S.A. 2013 Supp. 75-2589, and amendments thereto; and

(4) require the public library to inform its patrons that procedures for the submission of complaints about the policy, the enforcement of the policy, and observed patron behavior have been adopted and are available for review.

(c) The governing body of each public library shall review its internet access policy at least once every three years.

(Authorized by and implementing K.S.A. 2013 Supp. 75-2589; effective March 14, 2014.)