

## Gunnison Civic Library Internet Policy and Procedures

### INTRODUCTION

In offering access to electronic information sources, such as the Internet, on-line databases and CD-ROM sources, it is the purpose of the Gunnison Civic Library to expand the range of tools available to citizens seeking to satisfy their information needs. At the same time, the Library recognizes that electronic information sources are powerful and dynamic, and evolve quickly both in scope and content. The Library also recognizes that the nature of electronic information sources makes it extremely difficult to subject information accessed electronically to the same types and levels of scrutiny used to select traditional information sources and materials for the Library. However, given that the information accessed at the Library does flow into a public space, through publicly-owned equipment, the Library does not abandon completely its obligation to set limits on the use of these resources and to respond to issues related to their use within the context of other library policies, procedures and practices.

It is the intention of this policy to provide equitable access to electronic information sources to as many library users as possible while guaranteeing the security of Gunnison Civic Library computer systems. It is also the intention of this policy to place the use of electronic information sources within the context of the Library's mission, its service goals and plans, its commitment to meeting the information needs of individual patrons, and its role as an agency of Gunnison City government.

In adopting these policies, the Gunnison Civic Library recognizes that access to electronic information is a field that evolves on an almost daily basis. Therefore, it is also recognized that the issues addressed in these policies may need to be revisited frequently as changes in technology, patron expectations and needs, software and relevant laws so dictate.

### POLICIES

1. Electronic information sources are intended to complement other library sources in providing in-depth reference and information services. Patrons may use these sources to locate, retrieve and print publicly-available information and non-public information access which is purchased by the Library, e.g., certain proprietary databases. Secondly, the Library also permits some uses which have become common options for users of the Internet although these uses are not directly related to traditional library services. Uses of the Internet which are not permitted are chat rooms, instant messaging and game playing. Patrons are also prohibited from creating personal folders, bookmarks, system passwords, or other individualized files. The Board of Directors delegates to the Director the authority to limit permitted uses on individual PCs as deemed necessary to accommodate a variety of patron needs and to maintain the Library's primary emphasis on the use of the Internet to access reference and information sources.
2. Gunnison Civic Library has no direct control over the information accessed through the Internet. Therefore, each individual is responsible for the content of the searches he or she conducts, and parents are responsible for the use of Internet by their minor children. However, the Library does take measures, based on legal guidance and within the limits of available technology and of administrative capacity, to limit the opportunities for patrons to access or be exposed to visual depictions that are child pornography, harmful to patrons and to restrict patrons from accessing materials which are obscene. **These measures include the use of the software Cybersitter which has been installed on every computer in the library, which blocks access to electronic information that may be harmful to patrons. Such software is installed on all Internet-**

**accessible PCs used in the library; however, such software is to be disabled by staff members upon request by an adult patron, or upon the request of a minor whose parent or legal guardian has previously given formal authorization for the Library to do so. The Library Director is charged with establishing procedures for implementing this aspect of Library policy, including a selection of the software or softwares to be used and a method for disabling that is feasible within the staff workflow but also rapid and non-intrusive. Such procedures will be presented to and approved by the Library Board of Directors.**

Enforcement of these policies, consistent with the requirements of Utah Code Section 9-7-215 and State Rule 223-2, are based on guidelines and procedures defined by the Library Director. Methods of enforcement include but are not limited to patron education regarding policies, appropriate notification of patrons when violations occur, and limitation or suspension of privileges when violations are persistent. The Director will make the guidelines and procedures for enforcement of this policy available for public review in the library. Patrons with concerns about this policy, the guidelines and procedures for its enforcement, or the staff's efforts to enforce the policy may direct comments, either verbally or in writing, to the staff, the librarian, the Director, or the Board of Directors. Response to any expressed concerns may be made verbally or in a letter from the Director or the Board of Directors, depending on the nature of the problem being addressed.

In undertaking this effort, the Library remains cognizant of and promotes the right of adults to access information and conduct inquiries with as few limitations as possible consistent with the Library's mission, its operation as a public space, and its goals and objectives.

3. Patrons may not use equipment owned by the Library or Gunnison City for purposes which are illegal, which includes but is not limited to gambling, accessing pornographic materials, including child pornography, or to display in the library materials which may be harmful to patrons.
4. In accordance with Gunnison Civic Library policies, loading or downloading of files or computer programs, is not permitted. Use of any software, including disks, not owned by the Library for any purpose is also not permitted.
5. The Library may impose reasonable restrictions on the use of electronic information sources in order to facilitate equitable access by as many library users as possible, and may employ software to assist in the orderly management of Internet access. These limitations are defined in "Procedures for use of Electronic Information Sources," which may be modified as deemed necessary by the Library Director. The Library Director may also determine reasonable restrictions or accommodations in specific cases which may arise but are not addressed in either these policies or in the "Procedures."

This policy, as revised, is effective as of May 8, 2007.

The last revision date is September 23, 2004.

Review of this policy May 4, 2010

## **PROCEDURES FOR USE OF ELECTRONIC INFORMATION SOURCES**

In order to facilitate use of the Library's electronic information sources, and advance the Library's interest in providing equitable access to these sources by as many library users as possible, while guaranteeing the security of the Gunnison Civic Library computer systems, the following procedures will be followed:

1. Patrons will have the opportunity to read and review policies and procedures for electronic information sources, and will be presumed to have read and agreed to abide by them before proceeding to use such sources. Signage will also clearly indicate that a complete copy of the Library's policies and procedures is available for review upon request.
2. The Library will establish time limits for use of electronic information sources in accordance with demand. The system of time limits employed may vary in accordance with the number of patrons waiting to use the computers. Patrons are expected to abide by the time limits, and to end their use of such sources as required by the staff once their allotted time has expired. Methods will also be implemented to assure that all members of the public have access to the Internet whether or not they are card holders.
3. The Library may limit the range of uses available on a particular public access computer in order to accommodate a wide range of patron needs. The Library may also provide patrons with an option to use public access PCs which contain content-limiting software as a means of increasing the individual patron's comfort in accessing the Internet. The Library Director will determine the distribution of uses permitted on PCs and the availability of content-limiting software.
4. Patrons may print from electronic information sources at a price-per-sheet equal to the amount charged for photocopies.
5. Only staff members may load and unload electronic information sources. All sources, software and computer accessories loaded into library equipment will be owned by the Gunnison Civic Library.

**APPROVED BY GUNNISON CIVIC LIBRARY BOARD MAY 8, 2007**

**APPROVED BY GUNNISON CIVIC LIBRARY BOARD MAY 11, 2010**

## **Guidelines for Appropriate Use of Electronic Information Sources**

Electronic access to information, particularly through the Internet, is a complex area for public library administrators and board members to address. The complexity comes as part from the nature of the Internet itself. It is fluid; individuals, organizations, businesses and government agencies can make information available on it with minimal effort and cost; access to it is easy and widely available. In short, Internet is a wide-open electronic crossroad. Given the nature of the Internet, policies regarding access to it in the public library are accordingly complicated. Administrators and board members must keep in mind the free-speech rights and the right to inquire of individuals at the same time they recognize the community's interest in limiting certain types of speech in public spaces, especially those, such as the public library, which are frequented by children. Libraries must also consider the wide range of possible uses of the Internet—for e-mail, chat rooms, game-playing and commercial transactions, for example, in addition to uses related to information retrieval—and determine which of those uses are consistent with the mission of the and which might be assigned a lower priority or determined to be beyond the scope of services the Library will offer.

As a result of the complexity of issues involved in electronic access guidelines that separate acceptable from unacceptable uses must almost inevitably be unusually detailed. It is the sense of the Gunnison Civic Library that only detailed guidelines can assist staff members in a meaningful way as they attempt to enforce policies established by the Board in a manner which is consistent and fair across the system, and which navigates the difficult ground between individual rights and community interests.

### **Part I: Principles for Enforcing the Policy on Electronic Access.**

Staff members charged with enforcing policies can do so with more confidence, and can exercise judgment more effectively if they understand the principles upon which the policies and guidelines defined for carrying them out are based. In the area of electronic access, the following principles from the basis of the Library's policies and the guidelines which follow:

Principle 1: The right of patrons to meet their information needs through library resources, including electronic resources, is at the heart of the Library's mission. The Library vigorously promotes the use of all of its resources, and encourages patrons to utilize its resources as fully as their needs dictate. However, the Library also recognizes that it operates in the context of other laws and community interests which suggest some limits to the rights of patrons to receive certain types of information. Those limits are narrowly defined and are the most minimal possible to balance the right of inquiry with the competing concerns of appropriate displays in a shared public space, and the access minors may have to sexually explicit materials. The Library also limits certain uses of its PCs as being either outside of or secondary to its mission. These uses include **game playing, engagement in chat rooms and instant messaging services**, and the limits placed upon them are defined in policy and in procedures established by the Library Director.

Principle 2: While promoting the rights of adults and minors to conduct inquiries for information through electronic resources, the Library also has an obligation and right to administer the space in which the

inquiry is conducted. The public character of the space is further and more specifically defined as a space which is frequented by minors. Consequently, the Library has an interest in managing the space in accordance with the precept that minors should not be exposed to certain types of pictorial materials.

Principle 3: In the case of minors, the Library has established an informal base for parents to understand the range of materials their children are likely to encounter when visiting the Library, which is best defined by the collection itself. Consequently, the Library has an interest in limiting the access which minors may have to information which may clearly be beyond what the Library could ever reasonably acquire based on its materials selection policies. Based on the Library's selection policies, the standard for determining whether an item could be added to the collection is established by the criterion that it fall, "when considered as a whole, within the broadest boundaries of appropriateness for informational, educational and cultural works" for the community which the Library serves.

Principle 4: In enforcing policies in the area of electronic access, the Library wishes to adopt an approach which narrowly targets those specific uses, such as game playing, which are limited, and those materials which, based on defined criteria, maybe inappropriate for minors to access, or harmful to minors and therefore unacceptable for display in the Library as a public space. Consequently, the Library relies on criteria which are specific and relevant to this area of concern, and uses methods which are minimally intrusive and non-punitive, but also progressively firm and decisive. Enforcement is also based on the patron of the consequences of non-compliance, limiting privileges as a response to non-compliance, and defining a process for review by a patron of any enforcement action.

## **Part II: General Guidelines**

In enforcing the Library's policies related to electronic access to information staff members should view the following guidelines as part of the Library's overall approach to working with patrons and addressing patron behavior issues. Even though electronic resources have unique characteristics and pose special issues, they are utilized by patrons within the broad context of library services. Consequently, to the extent possible, patron's use of them, and staff intervention necessary to assist in their use, should be guided by practices that apply as well to other aspects of library service. Key service and patron-relation elements to remember in applying the guidelines detailed below include the following:

1. The primary purpose of electronic access is to further enhance the ability of patrons to locate needed information, and the staff's primary obligation is to assist patrons in this endeavor. Staff members should focus their efforts on helping patrons widen the options they have for finding information even when that information is controversial, when it may be unpopular and when it may be offensive to some members of the community.
2. At the same time, it is also necessary to limit some types of use which do not relate to locating and retrieving information and which, if permitted, would interfere with uses of the Library's PCs which are consistent with its mission and with purpose of electronic access in the Library, which is to widen options for acquiring information. While the Library acknowledges the personal value that these uses may have for patrons, it must first and foremost promote the use of its resources, including electronic resources, to advance its primary mission.
3. In working with patrons using electronic resources, staff members should strive to inform and educate about both Library policies and search strategies and techniques, and should engage in enforcement procedures only as a secondary choice and only as the situation requires. Consistent with this approach, the Library will make efforts to provide patrons with information regarding electronic access policies and practices before they begin their searches to help them both utilize the resources more effectively and understand the differences between appropriate and inappropriate use.

4. Staff members should exercise some judgment in applying the guidelines established below. Staff should be cautious when they intervene in a patron's use of a resource, and when they do intervene they should be certain of their grounds for doing so. On the other hand, staff should also understand that the Library does have an interest in promoting the appropriate use of all of its resources and its space, and that on occasion, as in other aspects of library operations, intervention in the use of electronic resources will be necessary.

5. In enforcing Library policies, staff members should be clear we are not enforcing laws. Rather, we are enforcing library policies related to the use of electronic resources and the management of the Library as a public space, and drawing on state statutes to help us do so by basing our guidelines on established, rather than arbitrary criteria. In terms of specific uses that are limited, we are not passing judgment on whether or not these uses are of value. Rather, we are making decisions regarding use of a limited resource and allocating that resource—time on the Library's PDs—to uses that are consistent with our particular mission in the community.

**6. Content-limiting software is installed on all publicly accessible Internet PCs as a complement to the Library's electronic-access policies and the guidelines established for enforcing them remain. The approach taken in utilizing content limiting software is consistent with legal guidance based on Supreme Court rulings and is consistent with State law (Utah Code annotated 9-7-215). The Library recognizes the potential, the difficulties and the limitations of content-limiting software. Thus, while it is possible that the software will inadvertently block access to sites that fall within the scope of acceptable uses, it is also possible that a patron will circumvent the software or that the software will fail to block a site that does not meet acceptability standards. Therefore, Library policies for Internet access remain in effect whether content-limiting software is engaged or has been disabled in accordance with these guidelines. However, as required by law, the Library staff will disable content-limiting software on any PD upon request by a user 18 years of age or older, and will do so immediately and without further investigation as to the purpose or intention of the user. Additional guidelines for this procedure are provided in subsection 9, below.**

### **Part III: Display of Information That May Be Harmful to Minors**

1. Patrons may not display in the Library materials that may be harmful to minors based on established definitions related to sexually-explicit images. For guidance in interpreting "sexually explicit," definitions for three terms—"Sexual conduct," "sexual excitement" and "sado-masochistic"—are taken from the Utah State Code 76-10-1201:

"Sexual conduct" means acts of masturbation, sexual intercourse, or any touching of a person's clothed or unclothed genitals pubic area, buttocks, or, if the person is a female, breast, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent or actual sexual stimulation or gratification.

"Sexual excitement" means a condition of human male or female genitals when in a state of sexual stimulation or arousal, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.

"Sado-masochistic abuse" means flagellation or torture by or upon a person who is nude or clad in undergarments, a mask, or in a revealing or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed.

It is hoped that by focusing on these definitions, we will avoid being arbitrary and capricious, or overreaching our purpose of limiting the display of certain types of information in a public space.

2. If a patron displays information which may be harmful to minors, based on these definitions, he or she will be informed that Library policies prohibit the display of such information, and a request will be made that the patron exit the site and avoid entering similar sites.

It should be acknowledged from the outset that interventions of this nature are uncomfortable for both the patron and the staff member. It is not easy to intervene in any situation involving patron behavior, including those involving the nature or content of a search. However, when it is necessary to intervene, the staff member should be careful and discrete, and verbal discussion of the situation in the public area, both between staff members and between staff members and the patron involved, should be as limited as possible.

A. If the situation permits, it is best that two staff members observe the situation in case future documentation is required.

B. A staff member will approach the patron and indicate something to this effect: "Sir/madam, I have to ask you to exit the site you are in immediately and to review this information." The staff member will then provide the patron with a printed statement which reads as follows: "As the Library is a public space frequented by minors as well as adults, display of information which may be harmful to minors is prohibited. A copy of the Library's policy and additional information is available upon request. If you have questions regarding this policy or its enforcement in this case, please contact the Library Director at 528-3104.

C. It is hoped that the patron will at this point comply with the staff member's request. Following the incident, the staff member will make note describing the patron, the nature of the material seen, and any other pertinent information, such as additional conversation with the patron.

D. If the patron refuses to exit the site, re-enters the site, or enters a similar site, the staff member will approach the patron and indicate something to this effect: "Sir/madam, I have informed you of the Library's policies and I have asked you to comply with them. I will not ask you again and for the last time to exit the site." Again, it is hoped the patron will comply.

E. If the patron refuses to comply, or asks something to the effect of, "What will you do if I don't?" the staff member will indicate that the library has established procedures for these cases and will present the patron with a printed statement that reads as follows: "If a patron fails to comply with the request of a staff member to terminate prohibited uses of the Library's PCs, or to leave the PCs following repeated violations, the staff is instructed to contact local law enforcement officials who will determine what course of action to follow. If the patron still refuses to comply, staff members should contact local law enforcement officers, indicate that a possible public nuisance situation is underway and request their immediate assistance. Upon the arrival of the police, staff should cooperate with them as fully as possible, leaving the management of the situation to them.

F. In these extreme cases, staff members should if possible make note of the website being accessed and print the screen or screens involved in the dispute for future reference. Staff members should also contact the Director.

G. It should be noted that this approach should also be taken if an individual in some highly unusual case was displaying hard-copy materials, such as in a magazine in the library and the staff had to intervene. It

should be noted that the relevant public decency law which we would consider applying may be found in Utah Code 76-10-803, specifically subsection (b), which includes “offends public decency” in the definition of public nuisance.

H. Patrons who have been required to exit a site for any reason may appeal the action of the staff to the Library Director who will determine whether or not the site meets the Library’s policies for acceptable use. If the Director determines that site falls within the scope of acceptable use, he or she will discuss with the staff involved the basis for the initial action and inform them of the reasons for the reversal. If the Director determines that the site falls outside the scope of acceptable use, the patron will be so informed in writing. Appeals to the Director may be made immediately, and up to five (5) days after the action of the staff, and may be made verbally or in writing. The Director will respond within one (1) business day of receipt of the appeal. If the patron is not satisfied with the decision of the Director, an appeal may be made to the Library Board of Directors at its next regularly-scheduled business meeting, at which time the Board will act. The appeal to the Board of Directors must be made in writing.

I. Patrons may appeal any aspect of Library policies to the Board of Directors.

#### **Part IV: Minors**

As indicated in Principle 3, above, the Library views its relationship to minors in a somewhat different light than that it has with adults in terms of Internet use. Because of its nature, Internet opens to a minor user, a world of information far beyond what most public libraries would tend to own in terms of both scope and content. Consequently, the public library through the Internet connections it provides can offer minors, as with all of the public, vastly more information than ever before, but also can serve as the link to information which communities and states have deemed as potentially harmful for minors to be exposed to. While the Library cannot assume the responsibility of enforcing laws related to materials potentially harmful to minors, it can establish policies which attempt to limit the opportunities for minors to access or be exposed to materials beyond the reasonable boundaries of what may be considered appropriate for minors. In applying this concept, the Gunnison Civic Library relies not only on definitions contained in state laws, but also on the notion that its collection development policies establish broad boundaries of appropriateness which in turn create an expectation of what parents may anticipate their children will encounter at the Library. Consequently, content limitations for minors are somewhat more stringent than those for adults, and the basis established for staff members to intervene is accordingly broader.

1. Staff members may intervene in the use of the Internet by a minor when the minor is accessing materials which are sexually explicit, in accordance with criteria stated in Part III or which may be obscene based on criteria established by the United States Supreme Court and reflected in Utah Code Annotated 76-10-1203, which reads as follows:

- (A) Any material or performance is pornographic if: a) The average person, applying contemporary community standards finds that, taken as a whole, it appeals to prurient interest in sex; b) It is patently offensive in the description or depiction of nudity, sexual conduct, sexual excitement, sado-masochistic abuse or excretion; and c) Taken as a whole it does not have serious literary, artistic, political or scientific value.

In terms of actual enforcement of policy, few if any cases that are addressed by the definition of obscenity would not already be prohibited for access by minors based on the “harmful to minors” definitions presented in Part III. In the unusual case in which this does occur, staff members should make a good-faith effort to apply the above criteria, preferably in consultation with a second staff member if the situation permits. In applying this criteria, it is again important to

recall that the staff is not enforcing the law but is using criteria established by statute for guidance in managing public access to information in a public space.

All criteria established for adult use of the Internet apply to use by minors.

2. Staff members may intervene in the use of the Internet by a minor when the minor is accessing materials which include nudity, as defined in Utah Code 76-10-1227, when such nudity is clearly not integral to work of artistic, educational or scientific intent. Staff members may intervene in the use of the Internet by a minor when the minor is accessing materials which include graphic representations of gross bodily functions or graphic representations of extraordinary violence.

Nudity is defined in Utah Code 76-10-1227 as follow:

“Nude or partially denuded figures means: (a) less than completely and opaquely covered: (i) Human genitals: (ii) Public regions: (iii) Buttock; and (iv) female breast below a point immediately above the top of the areola; and (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.”

These guidelines clearly involve some element of judgment, and staff should intervene only when they are clear regarding the particular case. If there is doubt in the staff member’s mind, a second staff member should be consulted. If doubt remains, the staff member should refrain from intervening and simply make note of the case for future reference and discussion. As with adults, staff should defer to the right of the patron to search and conduct inquiries and use intervention only when necessary to remedy a clear situation. Preference should be given to providing the individual minor with information and to helping clarify appropriate uses of the internet.

3. If a minor accesses material which requires intervention, staff members will make a judgment about the appropriate means for intervention based on the age of the individual, the nature of the material being accessed and the opportunities the staff member senses for providing information that will deter future difficulties.

Minors may range in age from quite young to near adulthood, and methods for intervening when problems arise should vary based on several considerations. In all cases, the first intervention should be firm but consultative and educational, focusing on what is appropriate and what is not for “children,” when working with younger, and “minors,” when working with older individuals. Staff members should emphasize the availability of child-friendly search engines with younger children in particular.

If problems persist with an individual minor either the same day or over several different visits to the Library, staff should document the nature of the problem and the specific incidents, including dates and conversations. In consultation with the Director, staff will map an individual strategy to deal with the minor, a letter to the individual’s parents and suspension of Internet privileges for a period time. As with adults, minors may appeal the denial of access to a particular site in accordance with the method and timeframe established in Part III, subsection H, above.

## **Part V: Nudity**

Nudity presents special problems in terms of appropriate uses of the Internet and displays of materials. Nudity is an integral part of much of the great art of the world and may be presented in paintings, photographs or sculptures. Nudity may be encountered in an art gallery as well as in works of public art, and certainly in books owned by libraries and sold in local bookstores. At the same time, nudity may, under certain conditions, be considered indecent for public display, harmful to minors and even

pornographic. However, determination of the legal status of nudity in a particular instance is very difficult and requires judgment based on statutory criteria. Given the difficulties surrounding the exercise of such judgment, the Library chooses to approach the area with caution and to not intervene except in response to a patron complaint. This means of response is similar to that which staff members would take in response to complaints about any other aspect of patron behavior, such as creating noise or being disruptive.

1. Staff members may intervene when adult patrons are accessing materials that contain nudity in response to a complaint received from another patron.

Assuming that the complaint is based on simple nudity and does not involve other forms of sexual activity which may fall into the “harmful to minors” categories defined above, the staff member should inform the complaining patron that nudity in and of itself may not provide a basis for us to require a patron to exit a site. The staff member may also state that he or she will indicate to the patron conducting the search that a patron has complained about the content of what is being displayed, and will ask the patron to consider this information in deciding whether or not to continue the search. This may be the extent to which staff can intervene in such a situation. The patron may not choose to exit the site, which may contain a photograph or a partially denuded celebrity, for example, or a painting which includes nudes—neither of which may be “indecent for public display.” If the complaining patron is not satisfied with the explanation provided and the action taken, he or she may speak to the Director to express concern and for further information on the policy.

## **Part VI: Illegal Activity**

1. Staff members may intervene in the use of the Internet when they have reason to believe that information being accessed is illegal.

If the staff perceives that a patron is accessing information that involves graphic representations of children involved in sexual situations, which is the most likely scenario to arise which could involve a violation of the law, the following steps will be taken.

- A. If possible, the staff member will ask a second staff to view the information in order to verify its nature.

- B. The staff will immediately contact local law-enforcement authorities and inform them that a potential violation of laws has occurred related to accessing information which involves children in sexual situations.

- C. Staff will note the time of the situation, and will monitor the patron until law-enforcement officials arrive.

- D. Staff will make notes regarding the situation, including the basis for their decision to contact law-enforcement officials. A copy will be retained at the branch and a copy sent to the Director for review.

## **Part VII: Sexual Harassment**

1. Staff members may intervene in the use of the Internet when another staff member indicates that a patron’s use of the Internet is creating a hostile work environment.

In some cases, a patron’s use of the Internet could create an environment that a staff member senses to be sexually hostile. Such a situation could arise from the patron accessing a single piece of information that

the staff member considers to be inappropriate. However, it is more likely that the situation would involve a patron not only accessing the information, but also attempting to bring it to the attention of the staff member. For example, a patron could access sexually explicit information that a staff member might find inappropriate but not feel that it is creating a hostile work environment. If subsequently the patron calls the staff member over to ask questions about the computer with the same information displayed, the staff member may feel differently. Staff members must be careful to distinguish in their personal feelings between the rights of a patron to access information which they—the staff members—may find offensive or inappropriate, and the moment when that right to access crosses a line and contributes to hostile work environment. It is the point at which that find line is crossed—in which the behavior of the patron as much as the information being accessed becomes a problem—that the staff may intervene in the patron's use of the PC.

In such a case, the following steps should be taken:

A. The staff member who senses the hostile environment should normally not be the staff member who intervenes in the situation. Instead, the staff member should report the circumstances to the Library Director. The staff member should indicate the nature of the problem and make subsequent notes about the behavior of the patron and the information involved. A copy of these notes should be retained in the Library.

B. The second staff member involved will approach the patron and indicate that concern has been expressed about his or her behavior. The staff member will indicate the specific nature of the concern and ask the patron to be aware of it in future interactions with the staff.

C. The staff member will not require the patron to exit a particular site on the Internet or to leave the library. The intervention is intended to alter a behavior that has interfered with the use of the library by another individual—in this case, a staff member attempting to carryout his or her duties.

D. This is the extent of the Library's intervention in the particular unless it becomes a larger behavior problem. The staff member involved may wish to be off the floor until the patron has left. In the case of a persistent problem with a single patron, the staff should consult with the Director.

### **VIII: Suspension of Privileges**

If a patron persists in using the Library's PCs for purposes which are not permitted under library policies, such as for chat-rooms, games, etc., or continues to access sites which contain information which may be harmful to minors after being instructed on several occasions not to do so, he or she may have Internet privileges suspended temporarily.

Prior to any suspension of privileges, the patron will receive a letter from the Director alerting him or her to the nature of the problem, requesting compliance with library polices, indicating that further actions may be taken if compliance is not forthcoming, and providing an opportunity for the patron to offer his or her perspective. Following a further violation, the patron will be notified that his or her Internet privileges have been suspended for a period of time not exceed three (3) months, and providing the patron with a right to appeal the decision to the Director and, ultimately, to the Library Board.