

January 3, 2002

The Board of Directors of the Library District of Maricopa County, Arizona, convened at 9:00 a.m., January 3, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Andy Kunasek, Jan Brewer, Mary Rose Wilcox, Fran McCarroll, Clerk of the Board; and Shirley Million, Administrative Coordinator. Also present: David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Absent: Fulton Brock, Vice Chairman. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Brewer, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the minutes of meetings held on December 5, 2001.

PERSONNEL

Motion was made by Director Brewer, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the personnel agenda. (List on file in the Clerk of the Board's Office.)

REVISION OF DISTRICT'S INTERNET ACCEPTABLE PUBLIC USE POLICY

Motion was made by Director Brewer, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve a revision of the District's Internet Acceptable Public Use Policy. The Policy has been revised in compliance with A.R.S. §34-502, which requires public libraries to maintain a policy that establishes measures to restrict minors from gaining computer access to material that is harmful to minors. (C65020276) (ADM2800)

LIBRARY DISTRICT'S INTERNET ACCEPTABLE PUBLIC USE POLICY

A. PURPOSE

To establish rules concerning the use of the Library District's computers which provide access to the Internet.

B. ELIGIBILITY

The Maricopa County Library District provides limited access to the Internet. This service is available without charge to the public.

C. POLICY

The Internet is a global electronic network of information. There are no local, state or federal laws which control content of the Internet. However, Arizona law requires all public libraries who provide Internet access to filter out material which is harmful to minors. A.R.S. § 34-502. Further, federal law prevents public libraries from receiving certain funding unless the library filters out obscenity, child pornography and materials harmful to minors. Children's Internet Protection Act, PL 106-554. The Maricopa County Library District is in compliance with these laws.

January 3, 2002

No filtering or monitoring program is completely effective, and while the Internet generally provides access to information that is valuable and enlightening, the user may find some material controversial, offensive, disturbing, erroneous, or illegal. In providing Internet access, the Maricopa County Library District does not warrant that the information is accurate or complete. Nor does the Library District endorse or ratify any information on the Internet. The Library District cannot guarantee that any personal information, including credit card information, will be delivered securely when accessing the Internet on a Library District computer.

The Library District is not, and does not; intend to be a full-service Internet provider. The District does not provide e-mail accounts, but does encourage the use of public e-mail services such as Yahoo, Hotmail, Juno or other free e-mail services. The Library District does not allow use of FTP (file transfer protocol) and does not support access to BBS or Usenet (newsgroups). The Library District Internet home page provides links to selected sites, which the District believes, contain current, accurate and appropriate information. These sites are selected in accordance with the District's *Collection Management Guidelines*. The Library District home page does not allow access to library users' private information. Arizona law requires the Library District to protect the confidentiality of library users borrowing and use records. A.R.S. § 41-1354.

As time permits, the Library staff will assist users in accessing its electronic information resources. Library District staff will also monitor the use of the District's electronic resources. Staff reserves the right to interrupt activity or block access to sites that interfere with the performance of the District's computer system or violate this Policy.

Use of Library District equipment and the Internet to engage in any activity which constitutes violation of local, state and/or federal laws is strictly prohibited. Responsibility for the consequence of copyright infringement lies with the library user. The Library District expressly disclaims liability or responsibility resulting from copyright infringement by users. Library District equipment and the Internet should be used in accordance with these guidelines. Failure to use the Library District's equipment and Internet access appropriately and responsibly may result in revocation of Library District use privileges, and may also have legal consequences.

January 3, 2002

D. MINORS

Access to the Internet is available to all library users, including minors. Minors who violate Library District policy or use the Internet for illegal or inappropriate purposes may lose their Library District privileges and experience legal consequences, just as adult users. Although the Library District attempts to filter out all material that could be considered obscenity, child pornography or harmful to minors, no filter is completely effective. Therefore, parents may choose to monitor their children's use of Library District computers. As is the case with access to other materials in the Library District's collection, any restriction of a minor's access to, or use of the Internet, shall be the responsibility of the minor's parent or legal guardian, not the Library District.

E. USE BEHAVIORS

Examples of acceptable behaviors include, but are not limited to, the following:

- Users of electronic resources will respect the needs of other library users to do research in calm surroundings without interference from others
- Upon finishing a search, users are responsible for disconnecting from remote sites reached via the Internet connection on Library catalog terminals and returning to the Library District's home page.
- Users of local or remote databases at Library District computer stations and terminals will not exceed thirty (30) minutes of use in a sixty- (60) minute period and 60 minutes total per day.
- Users will not cause damage to equipment, software or databases through abusive or destructive behavior.
- Children accompanying users of electronic resources are to be supervised and monitored to prevent them from playing with the equipment or otherwise causing damage.
- Parents, not library staff, are responsible for monitoring their children's use of the Internet and other electronic information resources accessed using the Library's connection.
- Users are responsible for material that is accessed. Be aware that the Internet may contain some material that is controversial, offensive, disturbing, erroneous, or illegal.

Examples of unacceptable use include, but are not limited to, the following:

- Harassment or stalking of other users.
- Libeling or slandering other users.
- Destruction of, damage to, or unauthorized modification of equipment, software, or data belonging to the Library or other users, a violation of Arizona law (A.R.S. §13-2316).
- Disruption or unauthorized monitoring of electronic communications.
- Unauthorized or illegal copying of copyright-protected material, a violation of U.S. law (U.S. Code, Title 17).
- Library users shall not attempt to upload, download, install, set up, run or execute any program or software not authorized by the Library on any of the Library's computer workstations.
- Violation or attempted violation of computer system security.

January 3, 2002

- Unauthorized use of computer accounts, access codes, or network identification numbers assigned to others.
- Use of electronic communications facilities in ways that unnecessarily impede the activities of others (such as randomly initiating interactive electronic communications or chat exchanges, overuse of interactive network utilities, etc.).
- Violation of software license agreements.
- Violation of network usage policies and regulations.
- Violation of another user's privacy.
- Violation of Arizona law (A.R.S. §13-3507) by using the Library's electronic systems to display explicit sexual material.

F. PROCEDURES

1. Library users shall have access to the District's computers on a first-come, first-serve basis.
2. Library users shall limit their use of the computers. No single user shall utilize the computers with Internet access for more than thirty (30) minutes in any sixty- (60) minute time period, or 60 minutes per day.
3. In times of heavy use, the Library District staff can enforce further limitations on the use of the computers to allow for equitable use.
4. Many of the computer workstations and terminals are connected to printers and library users may obtain printed copies of information retrieved from databases and the Internet. There is a fee for printing, which is set by the Library District

and is subject to change. If a coin box or debit card device is not attached to the printer, the user is expected to pay for the copies printed at the nearest service desk.
5. As a precaution for confidentiality, users should be extremely careful in posting any personal information, and users should close all open windows and restart Internet Explorer using the start button upon concluding their session.

E. DEFINITIONS

BBS (Bulletin Board Systems): Systems that post messages, electronic mail, computer programs, graphic files, etc. for use by subscribers.

Copyright: Text, graphics and other materials for which copyright registration has been made. The copyright holder has many rights under law and copyrighted materials may not be altered, or resold without permission of the owner. Limited copying is allowed under the *Fair Use Doctrine*.

E-Mail Accounts: A personal mailbox that allows the user to send and receive electronic mail. Maricopa County Library customers are allowed and encouraged to set up free e-mail accounts using typical public services such as Hot-mail, Yahoo Mail, Juno Mail and other widely available free e-mail accounts.

January 3, 2002

Filter: An Internet Filter is typically defined as a software tool that is designed to block what may be considered inappropriate Internet use. These software tools typically employ URL (uniform resource locator) lists or word matching to achieve blocking of sites, which may be considered inappropriate. Both methods of such filtering and combinations of such software tools are widely available for home, corporate and educational use. At the heart of URL lists are allowed-site lists and blocked-site lists and this is the type of software filter being deployed by Maricopa County IT and the Library District.

FTP (File Transfer Protocol): Ability to transfer a computer file from a remote computer site to your local computer.

Full-Service Internet Provider: A company that provides users telecommunication access to the Internet. Typically the company will also offer e-mail accounts, computer storage space, and related services. These companies can be found in the Yellow Pages under the heading "Internet Products & Services."

Internet: The collection of telecommunications networks that links computer systems worldwide. These networks are not under a single control but independently managed and adhere to recognized international communications protocols.

Internet Explorer: This program is created and distributed by Microsoft Incorporated for use in navigating the Internet.

IRC (Internet Relay Chat): This protocol allows multiple persons to engage in simultaneous discussions. Chat groups are typically subject based and allow for anonymous or unverified participation.

MUD (Multiple User Domain/Dialogue/Dungeon): A protocol used to support computer games. These games feature multiple simultaneous users located in different sites. A typical use is to play *Dungeons & Dragons*.

Sites: A location that houses a computer that is accessible via the Internet. The computer has a public Internet address. The site may be located within the Library District's network or anywhere in the world.

Usenet: A national network of subject-based discussion and news groups. Subscribers can read and post messages to subject-specific lists.

DONATION

Motion was made by Director Brewer, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the donation of library discarded, books, periodicals, audio/visual materials, etc., determined to have little or no value, to the New Friends of the Maricopa County Library District for book/material sales. This request is in compliance with ARS §11-251(9) that gives the Board of Directors the authority to donate books to the Friends as a charitable gift of little value. (C65020240) (ADM2800)

Motion was made by Director Brewer, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the acceptance of a donation of \$1,540 from the New Friends of the North Central Regional

MARICOPA COUNTY LIBRARY DISTRICT BOARD OF DIRECTORS MINUTE BOOK

January 3, 2002

Library (NCRL) for the purchase of magnetic packets for the magazine shelves at NCRL; and a donation of \$100 from customer, John A. Mathe, for the North Central Regional Library. The District is also requesting approval to amend the budget increasing revenues and expenditures in the amount of \$1,640. (C65020280) (ADM2800)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board