



PUBLIC COMPUTER ACCESS AND USE POLICY

Preamble

The Newmarket Public Library provides access to the Internet and to computer applications, through its public access computers and through the provision of wireless service, in order to meet the informational, recreational, and cultural needs of its users.

Definitions

In this Policy,

- “Library” refers to the Newmarket Public Library, its staff and facilities, under the authority of the Library Board;
- “Application” means a computer program intended for a specific purpose, e.g. Microsoft Office Word, not including the Library’s public access catalogue interface;
- “Content” means information, text, illustrations, photographs, media files, and other material as accessed or shared through a computer;
- “unlawful” means in contravention of any federal, provincial, or municipal legislation, including the provisions of the *Canadian Criminal Code* regarding obscenity, child pornography, sedition, and the incitement of hate; it also means in conspiracy to or incitement of a contravention of any *Criminal Code* offense;
- “obscene” means “any material that contains the undue exploitation of sex, or of sex and any one or more of the following subjects: crime, horror, cruelty and violence” (*Canadian Criminal Code*, Section 163 (8));
- “malware” means software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment;
- “spam” means unsolicited advertising or other messages transmitted to multiple users.

Access

The Library provides Internet and computer application access on Library-owned equipment to Library members of all ages. As stated in the Membership Policy, the authorization of a parent or legal guardian is required for a child under the age of 14 to obtain membership; such authorization is also required in order for a child to have access to the Internet and computer applications. For youth ages 14 to 17, such access is granted automatically when membership is obtained; however, a parent or legal guardian, upon presentation of valid ID, may opt to revoke such access. Access cannot be reinstated until a parent or legal guardian authorizes it, or until the youth turns 18 years of age.

The Library also provides such access to non-members on a temporary basis on a limited number of computers. No identification is required; however, access is granted only to those aged 18 and up and proof of age is required when needed

All Internet or computer application users must identify themselves using a Library card number, login name, or temporary ID, plus a password, to log in to a computer, and the Library reserves the

right to limit the amount of time a single user is logged in to use Library-owned devices. Users of the wireless network, using their own devices not owned by the Library, are not required to identify themselves in any way nor do they need to be members, and there is no age restriction.

Internet content

The Library provides access to all content that is available on the Internet, and it does not utilize any content-filtering technology. The Newmarket Public Library supports:

- The Canadian Library Association statement on Intellectual Freedom (1985)
- The Canadian Library Association statement on Information and Telecommunication Access Principles (1994)
- The Canadian Library Association statement on Internet Access (1997)
- The Ontario Library Association statement on Children's Rights in the Public Library (1998)

The Library does not guarantee the accuracy, integrity or quality of content on the Internet, and users may be exposed to content that is offensive, indecent or objectionable. Users are responsible for evaluating the information found on the Internet, and it is the responsibility of parents or guardians to monitor and supervise their children's use of the Internet.

Prohibited activities

Users, and not the Newmarket Public Library, are entirely responsible for all content that they create, upload, post, email, transmit or otherwise make available via a public access computer or through wireless service on their own device. Users are not permitted to:

1. Upload, post, email, transmit, or otherwise make available any content that is unlawful, threatening, abusive, harassing, tortuous, defamatory, obscene, libellous, hateful, invasive of another's privacy;
2. Download, view, display, print or otherwise intentionally access any content that is unlawful and/or obscene;
3. Impersonate any person or entity, or falsely state or otherwise misrepresent your affiliation with a person or entity ;
4. Upload, post, email, transmit or otherwise make available any unsolicited or unauthorized advertising, spam, or malware;
5. Modify or gain access to files, passwords, or data belonging to others;
6. Seek unauthorized access to any computer system;
7. Damage or alter a computer's software or hardware;
8. Use a public access computer or wireless service for any unlawful purpose;
9. Use a public access computer or wireless service for the purpose of copying or distribution of materials that infringe on copyright laws, licensing agreements or other intellectual property rights;
10. Engage in any other conduct which interferes with other Library users' use or enjoyment of the Library.

Security and Privacy

The Library will make every effort to ensure that users' activities on public access computers or wireless service is kept private; however, because the Library is a public place, and because the Internet is not totally secure, it cannot guarantee security and confidentiality of any transaction or activity.

Public Computer Access and Use Policy

Approved by the Newmarket Policy Library Board January 26, 2011

Revision approved by the Newmarket Public Library Board April 17, 2013

The Library and its 3rd party vendors collect data on use of its computer and wireless access, web site, and other services offered through the Internet by the Library. The Library accesses such data in a way that does not personally identify any individual.

The Library uses software that makes unavailable to other users and to the Library all information about content viewed or made available by individual users, including any login data created on an Internet site, as well as files created or saved. This data is made unavailable upon logging out of a library's computer. However, this data may still be accessible on computer hardware, and while the Library does not attempt to access this information, it may be compelled under the authority of a warrant to surrender computer hardware to investigating authorities who may then attempt to access this information.

Confidentiality of Library user information, including records of Internet session logins, is governed by the Library's *Confidentiality Policy* as well as its *Membership Policy*.

The Library makes no representation or warranty that its computers or wireless service are free of viruses and other malware, but makes every effort to employ anti-malware software for this purpose.

Liability

The Library makes no representation or warranty that its computer services will be uninterrupted, timely, secure, or error-free. No advice or information, whether oral or written, obtained by you from the Newmarket Public Library or from the Internet shall create any warranty not expressly stated in this policy.

The Library assumes no responsibility for damages, direct or indirect, arising from use of its computer services, including damage to users' portable devices accessing the Internet through its wireless service.

The Library is not responsible for any fees incurred by use of Internet sites.

The Library will not be responsible for unauthorized use of a user's Library login account or other website account; users are advised to log out of any account they may be using.

Termination of service

Library staff may terminate, without notice, the computer or wireless session of any user who is believed to have violated any part of this policy. Users violating this policy may also lose access to computer applications and wireless service in the Library, and in severe cases may be excluded from entering the Library under the authority of the Trespass to Property Act, and/or subject to prosecution.