

Subject: Internet Access
Effective: March 1999
Revised: *September 2009*

1.0 PURPOSE

This policy defines responsibilities for the provision of Internet service and standards for the appropriate use of the Internet in public and public-school libraries.

This policy replaces the New Brunswick Public Library Service (NBPLS) Policy 312 – Internet Access.

2.0 APPLICATION

This policy applies to public and public-school library partners regarding the provision of Internet access.

This policy applies to all persons using Internet access computers in public and public-school libraries and/or personal communication devices (e.g. laptops, notebooks, etc.). This includes library staff, volunteers, general public and students.

3.0 DEFINITIONS

Public designated computer refers to all computers provided by NBPLS and/or granted to NBPLS for public use through public or private sector funds. Public designated computers offer filter-free Internet access.

School designated computer refers to all computers provided by the school, school district, K-12/M-12 sector and/or granted to the school through public or private sector funds for use by students and the general public in public-school libraries.

Internet Profile refers to the computer setting that determines access to the Internet. The setting “No Internet Profile” provides no Internet access. The Internet profile can only be changed by library staff.

Filters refer to commercial software developed to limit access to the Internet. Some examples of the way in which a filter may limit access include: specified keywords; stop lists composed of URLs and IP addresses that a user is not permitted to access; go lists composed of URLs and IP addresses that a user is permitted to access; and/or

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prohibition of specified Internet programs such as e-mail, chat and other interactive services.

School hours refers to the hours during which teachers are routinely required to be in school.

4.0 LEGAL AUTHORITY

[New Brunswick Public Libraries Act:](#)

1 In this Act

“library” means

- (a) a collection of materials organized for lending or consultation,
- (b) a collection of materials having literary or artistic merit and having educational, recreational or informational value,
- (c) the services of personnel who can provide materials and give guidance in their use,
- (d) the physical facilities provided for under this Act;

“materials” includes books, periodicals, pamphlets, newspapers, photographic reproductions, paintings, films, filmstrips, sheet music, sound recordings and electronic data bases and texts, videos, CD-ROMS and other information in digital form;

“Minister” means the Minister of Post-Secondary Education, Training and Labour and includes anyone designated by the Minister to act on the Minister’s behalf;

Subsection 12.1 The Minister

- (a) may enter into arrangements with municipalities and associations of persons for the provision by the Minister of library services;
- (e) may establish, in consultation with the New Brunswick Public Libraries Board, policies, standards and guidelines for the effective operation of the public library system.

Criminal Code of Canada:

Certain provisions of the Code contain restrictions on the content of communications, including Internet communications:

- (a) Obscenity (any publication in which the dominant characteristic is exploitation of sex, or of sex and crime, horror, cruelty and violence);
- (b) Child pornography;
- (c) Hatred and sedition.

Right to Information and Protection of Privacy Act

In this act, “personal information” means information about an identifiable individual, recorded in any form. As stipulated in the Act, personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required or expressly authorized by law.

5.0 GOALS / PRINCIPLES

- 5.1** The mandate of the public library is to facilitate life-long learning for the public; and to provide services and resources to help meet their informational, educational, cultural and recreational needs.
- 5.2** The mandate of the public-school library is to facilitate life-long learning for both the public and the school population; and to provide services and resources for both groups to help meet their informational, educational, cultural and recreational needs.
- 5.3** When resources permit, Internet access is provided at no charge to the public.
- 5.4** The [Canadian Charter of Rights and Freedoms](#), Part 1, cites freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication as fundamental to freedoms.
- 5.5** Under the [Canadian Library Association’s Intellectual Freedom Position Statement](#), and La charte des droits du lecteur of the [Association pour l’avancement des sciences et des techniques de la documentation](#), it is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those that some elements of society

may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire and make available the widest variety of materials.

6.0 REQUIREMENTS / STANDARDS

6.1 ROLE AND RESPONSIBILITIES OF PUBLIC AND PUBLIC-SCHOOL LIBRARY PARTNERS FOR THE PROVISION OF INTERNET SERVICE

6.1.1 Public libraries

- In order to meet the public library mandate, public libraries must offer filter-free Internet access:
 - In accordance with NBPLS Policy 1056 – Responsibility for Children who use the Library or Bookmobile, responsibility for a child’s use of library services rests solely with his or her parent or guardian.
- The computer hardware and software required to provide Internet service for public use must be provided by the municipal partner. The municipal partner must ensure a minimum of one public designated computer in the public library. NBPLS will assist municipalities with the purchase of Internet access computers through public or private sector funds, whenever possible.
- NBPLS must provide one Internet service (connection and/or service fee) per library to be used for public Internet access. When the Internet service is provided by NBPLS, it must be offered free of charge to the public. The municipal partner is responsible for providing any additional Internet service (connection and/or service fee) for public Internet access, as may be required.
- Technical support for public Internet access computers must be provided by NBPLS.
- **Signage must be prepared and posted by public library staff to describe the type of Internet service offered in public libraries and the terms and conditions for use (see Appendix A of this policy).**
- Wireless Internet access will be provided as resources permit.
- The computer hardware and software infrastructure required to provide wireless Internet access must be provided by the municipal partner.

- Technical support relating to the provision of wireless Internet access must be provided by NBPLS.

6.1.2 Public-school libraries

- In order to meet the joint mandate of serving the school and public population, public-school libraries must offer filtered and filter-free Internet access for student and public use through “school designated” and “public designated” computers in all public-school libraries (see Section 3.0 of this policy):
 - During school hours, public designated computers must be set to the “No Internet Profile” for student use or “Internet Profile” for public use (see Section 3.0 of this policy);
 - During school hours, students will not have permission to access filter-free Internet use, in accordance with Department of Education [Policy 311](#) - Information and Communication Technologies Use;
 - After school hours, public designated computers must be set to the “Internet Profile” for public use. In accordance with NBPLS Policy 1056 – Responsibility for Children who use the Library or Bookmobile, responsibility for a child’s use of library services rests solely with his or her parent or guardian.
- The computer hardware and software required to provide Internet service on school designated computers must be provided by the school district, through the school. The network connection on school designated computers must be provided by the Department of Education.
- The computer hardware and software required to provide Internet service on public designated computers must be provided by the municipal partner.
- The school district, through the school, must ensure a minimum of one school designated computer in the public-school library. The municipal partner must ensure a minimum of one public designated computer in the public-school library. NBPLS will assist both partners with the purchase of Internet access computers through public or private sector funds, whenever possible.

- NBPLS must provide one Internet service connection per library to be used for public Internet access on public designated computers. When the Internet service is provided by NBPLS, it must be offered free of charge to the public. The municipal partner is responsible for providing any additional Internet service connection for public Internet access on public designated computers, as may be required.
- Technical support for public designated computers must be provided by NBPLS. Technical support for school designated computers must be provided in cooperation with District technical support personnel and NBPLS.
- **Signage must be prepared and posted by public-school library staff to distinguish the two types of Internet service offered in public-school libraries, as well as post signage on the terms and conditions for use (see Appendix B of this policy).**
- Wireless Internet access, for student or public use, will be provided as resources permit, in consultation with the Department of Education.
- The computer hardware and software infrastructure required to provide wireless Internet access to the public must be provided by the municipal partner.
- Technical support relating to the provision of wireless Internet access to the public must be provided by NBPLS.

6.2 RESPONSIBILITIES OF LIBRARY USERS

- 6.2.1 Before using library Internet services on public designated computers, users must register with library staff. Users shall respect any time limits stipulated by libraries for Internet usage.
- 6.2.2 Users who transfer excessive amounts of data on an ongoing basis may have their wireless Internet connection blocked so that reasonable access speeds can be maintained for other public library Internet users. A wireless Internet connection may be unblocked on a case-by-case basis by submitting a written request to the Regional Director.

6.2.3 Technical support relating to a user's personal communication device is the responsibility of the user.

6.2.4 Users must be considerate of the values of other library patrons and the presence of children in the library when displaying content that may be considered controversial.

6.2.5 Users shall refrain from:

- Making unauthorized copies of any data protected by copyright or digital property laws;
- Intentionally damaging library equipment or altering the setup of computers in use at the library;
- Creating, accessing, viewing, storing, sending or printing any text, image, sound or any other file which is considered to be unlawful. The New Brunswick public library system defines illegal material according to the Criminal Code of Canada (see 4.0 of this policy);
- Invading the privacy of others by attempting to modify or gain access to files, passwords, or data belonging to others, or by attempting to intercept private communications or e-mails.

6.2.6 Internet activity may be traceable to the user.

6.3 ROLE AND RESPONSIBILITIES OF LIBRARY STAFF

6.3.1 Library staff must post this policy in a publicly visible area that is near the Internet computers.

6.3.2 Library staff must take appropriate action if they reasonably believe that any user has violated section 6.2 of this policy by:

- Informing the user of appropriate patron conduct regarding computer and Internet usage.
- If, after the user has been informed of the rules and has been given reasonable amount of time to change his/her behaviour and still does

not comply, then an incident report will be filed in the library and the library employee in charge will do one of the following:

- Require the user to leave the library for the day;
- Suspend the user's computer privileges for a defined period of time, not to exceed one year;
- Prohibit the user from entering the library for a defined period of time, not to exceed one year.

- 6.3.3** In accordance with the [Right to Information and Protection of Privacy Act](#), library employees shall not disclose information regarding computer usage by a library user to any person, institution, association or agency except when the information is required or expressly authorized by law. If information is required by law, the library employee must notify their immediate supervisor and/or Regional Director before disclosing any personal information.
- 6.3.4** Library staff must take appropriate action regarding any patron complaint. For more information see NBPLS Policy 1059 – Patron Conduct.
- 6.3.5** Library staff do not control information accessed through the Internet and cannot be held responsible for its content.
- 6.3.6** The library is not responsible for any damages or loss of data experienced by library patrons while using library equipment or any personal communication device belonging to the patron.
- 6.3.7** In public-school libraries, library staff must clear electronic storage (caches) when they change the Internet profile on public designated computers.
- 6.3.8** In public and public-school libraries, the employee in charge regulates at the local level, and in consultation with his/her Regional Director, the issues of scheduling, and provision of services such as printing, e-mail, downloading of information to disk or hard drive, chat lines, virus protection software and the use of personal software and disks.

7.0 GUIDELINES / RECOMMENDATIONS

NBPLS will provide educational opportunities for public and public-school library staff and library patrons to participate in media awareness training, as resources permit.

8.0 REGIONAL GUIDELINES AND PROCEDURES

In consultation with the Provincial Office, Regional Directors may develop additional guidelines and procedures consistent with and necessary to support this policy.

9.0 REFERENCES

Administration Manual System Policy (AD-7107) - Microcomputer System Security Guidelines (<http://intranet.gnb.ca/intellinet/adminman/>).

Criminal Code of Canada. (<http://canada.justice.gc.ca>).

Fundamental Freedoms. Canadian Charter of Rights and Freedoms. (<http://canada.justice.gc.ca>).

Intellectual Freedom Position Statement. Canadian Library Association. (<http://www.cla.ca>).

La charte des droits du lecteur. Association pour l'avancement des sciences et des techniques de la documentation. (<http://www.asted.org/>).

New Brunswick Public Libraries Act. (<http://www.gnb.ca/0062/acts/acts-e.asp>).

Right to Information and Protection of Privacy Act. (<http://www.gnb.ca/0062/acts/acts-e.asp>).

Policy 311 – Information and Communication Technologies Use (ICT). Department of Education. (<http://www.gnb.ca/0000/index-e.asp>).

Policy 701 – Policy for the Protection of Students in the Public Education System from Misconduct by Adults. Department of Education. (<http://www.gnb.ca/0000/index-e.asp>).

Policy 1056 – Responsibility for Children who use the Library or Bookmobile. New Brunswick Public Library Service.



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Policy 1059 – Patron Conduct. New Brunswick Public Library Service.

Policy 1093 – Computers in Libraries. New Brunswick Public Library Service.

Policy 1060 – Confidentiality of Personal Information about Patrons. New Brunswick Public Library Service.

10.0 CONTACTS FOR MORE INFORMATION

NBPLS Provincial Office, (506) 453-2354

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