

# **Library Board Meeting Agenda**

## **May 19, 2022**

### **Highland City Hall**

**7:00 pm-Call to Order:** Claude Jones, Board Chair

**1. Public Comment**

**2. Consent**

- a. Approve 04/22 Minutes

**3. Reports**

- a. Director's Report

**4. Action/Policy Items**

- a. Internet and Online Access Policy

**5. Discussion Items**

- a. Recruitment

**6. Future Agenda Items**

**7. Adjournment**

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

**ELECTRONIC PARTICIPATION**

Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

**CERTIFICATE OF POSTING**

I, Stephanie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, at the Lone Peak Fire Station and Lone Peak Police Station, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website ([www.highlandcity.org](http://www.highlandcity.org)). Please note the order of agenda items are subject to change in order to accommodate the needs of the board, staff and the public.

Posted and dated this agenda on the 17<sup>th</sup> day of May, 2022      Stephanie Cottle, City Recorder

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL LIBRARY BOARD MEETINGS.**

**Minutes from a Regular Meeting of the  
HIGHLAND CITY PUBLIC LIBRARY BOARD**

Thursday, April 28, 2022 at 7:00 p.m.

IN ATTENDANCE

**Board Members**

Jessica Anderson, Secretary  
Roger Dixon (via Zoom)  
Claude Jones, Chair (via Zoom)  
Lynn Lonsdale  
Kevin Tams

**Other**

Donna Cardon, Library Director and  
Board Executive Officer

**Absent Board Members**

Briawna Hugh, Vice-Chair  
Kim Rodela, City Council Rep.

A quorum of the Board being present, Chair Claude Jones welcomed those in attendance and began the Library Board meeting as a regular meeting at 7:10 p.m. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting.

AGENDA

**1. Public Comment**

None.

**2. Consent**

1. *Approve minutes from 03/2022 meeting*

Jessica Anderson moved to approve the consent agenda. Kevin Tams seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Roger Dixon
Yes	Claude Jones
Yes	Lynn Lonsdale
Yes	Kevin Tams

### **3. Reports**

#### *1. Director's Report*

Donna Cardon gave her report. There were 94 new patrons in March, and this is the fourth month or so in a row that that number has gone up. Circulation is good. The library spent a lot of money on books in March and April to help finish spending grant money.

Kim Rodela briefly joined the meeting from Disney World and then left again.

The library put together some activities to celebrate National Poetry Month, including a poetry walk, a poet tree, and a poetry competition. Coming up, Brian Russo is coming to do an author visit for his book, *A Friend for Yoga Bunny*. In May, most regular programming will be paused to prepare for Summer Reading. But there will be an adult education class about Bitcoin on May 18. The Summer Reading kickoff will be at the end of May, including a magic show. The library has also started to receive letters from the school in Guatemala for the cultural exchange for Summer Reading.

The donation of cake pans has stalled. A page quit and a new page has been hired and is doing well. Another staff member has given notice, and the job is posted, though response has been limited, likely due to the \$13 per hour starting pay. Donna is preparing to go the City Council to ask to raise the starting rates to \$14 per hour.

Donna submitted a grant proposal to acquire 20 STEM kits for circulation. The pre-application has been accepted and the final application is due next month. Donna is also working on recertification with the state.

#### *2. Foundation report*

Jessica Anderson and Donna Cardon reported on behalf of the Foundation, which had its quarterly meeting earlier this month. The Foundation is primarily focused on a fall fundraiser to buy 1,000 new picture books for the library. The main idea will be to have donors purchase books from an Amazon wish list.

### **4. Action/Policy Items**

#### *1. Internet and Online Access Policy*

The Board discussed the Internet and Online Access Policy and the proposed changes and updates. Kevin Tams submitted proposed changes just prior to the

meeting, and Donna had draft changes as well. After some discussion, the Board determined that the policy and the proposed changes deserve further review and discussion.

Kevin Tams moved to postpone the approval of the Internet and Online Access Policy to May’s meeting. Lynn Lonsdale seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Roger Dixon
Yes	Claude Jones
Yes	Lynn Lonsdale
Yes	Kevin Tams

The motion passed.

*2. FY 2023 Budget*

The Board discussed the fiscal year 2023 budget. Donna went into some detail about the budgeting process. Each January a preliminary budget is due, in April a revised preliminary budget is due, and in June the final budget due. The previous year doesn’t close out until January, and then the tax income projections don’t come in until late April. So, two versions of the budget have to be submitted before it is clear what the revenue will be. In addition, there is a law that the budget submitted must be within the (projected) revenue. The other challenge with budgeting is that the projected revenue is often less than the actual revenue. This results in carryover, which is currently at \$55,000. These funds are currently in a reserve that represents 14% of the budget. (The City keeps a 25% reserve.) The problem is that the City Council doesn’t approve of using the carryover money for an ongoing cost, such as staff pay. The carryover can be used for one-time expenses such as new carpet and new furniture. This is the plan in the next couple of years, with some of the budget remaining as reserve. The library is expecting about \$10,000 in additional carryover funds this year.

A general tax increase does not include an increase to the dedicated library tax. When the City is considering increasing taxes, the Library has to be ready to say “us too.” This means that the library needs to prioritize the library fund study that was approved last year but postponed. Grants typically don’t allow for capital improvements or employee salaries.

The Board reviewed the projected revenue and proposed budgeted expenses. The increases include a 6% raise across the board for staff, and Donna is going to ask for even more for her staff. The books and materials amount is higher because it was lowered in the budget last year due to a \$12,000 book grant, so the total money spent on books this year will be lower. Some of this difference will be made up by the fundraiser planned by the Foundation. The programming budget is lower, with the difference to be made up with help from the Friends. The IT costs have gone up by \$5,000 this year. The library is charged a flat service rate and by computer. Also Donna reviewed the staff budget numbers if the starting wage stays at \$13 per hour or if goes to \$14 per hour. The change does not impact the budget substantially.

The library budget should be fine for the next three years due to the property tax revenue increase from the new subdivision. The outlook for 4-10 years out is not as good. This where the fund study comes in. Inflation will substantially impact the outlook. Donna reviewed funding options: (1) ask for property tax increase; (2) move from dedicated tax to general fund (the benefit is that sales tax is included, but downside is that then the library is competing with other city departments); and (3) close the library and pay for residents to get cards at other libraries. Having a library in our community gives our residents an educational resource that they actually use. (Compare 15% of households in Cedar Hills with a library card to 40% of Highland households with a library card.) At some point, in order to keep the library, we will have to ask for more money. To prepare for this, Donna proposes that we build support by (1) having great programs and services, (2) eliminating fines, and (3) expanding the library space.

Kevin noted that a way to reduce expenditure and increase value is to look into donations from software companies like Microsoft and Adobe. Donna noted that this can be an arduous process. This is something we can look into.

Jessica Anderson moved that the Board approve the preliminary budget and give Donna the ability to make minor adjustments totaling 1% or less of the total budget as needed without further approval. Roger Dixon seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Roger Dixon
Yes	Claude Jones
Yes	Lynn Lonsdale

Yes

Kevin Tams

The motion passed.

## **5. Discussion Items**

### *1. New Library Board Members*

Donna noted that she will start advertising for new board members for the coming year. The Board members should also reach out to any friends or acquaintances who would be interested.

### *2. Library Recertification Building Inspection*

The Board discussed the need to have a board member conduct a building inspection with Donna for the library's state recertification. Lynn Lonsdale volunteered to do it.

### *3. Automatic Renewal Policy*

The Board discussed the potential of having an automatic renewal policy. As the Board has previously discussed, this would be the first step to going fine free, and Donna is very in favor of it in principle. But this year it doesn't make sense, because the library brought in \$14,000 in fines last year. That is a big chunk of the budget, and the library is seeking staff raises. At this point, only 38% of the libraries in Utah are fine free. Going fine free could be a nice addition to the pitch when we ask to raise taxes for the library. We can also look into the idea of asking for a donation in lieu of a fine. For now, though, the discussion is tabled.

## **6. Future Agenda Items**

- New board members
- Approve Internet and Online Access Policy

The Board's next regular meeting is scheduled for May 26, 2022 at 7:00 p.m. Due to scheduling conflicts, the Board discussed moving the May meeting up a week to May 19, 2022 at 7:00 p.m.

## **7. Adjournment**

Roger Dixon moved to adjourn the Library Board meeting. Kevin Tams seconded the motion. The vote was recorded as follows:

Yes	Jessica Anderson
Yes	Roger Dixon
Yes	Claude Jones
Yes	Lynn Lonsdale
Yes	Kevin Tams

The motion passed.

The meeting adjourned at 8:33 p.m.

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I, Jessica Anderson, Highland City Library Board Secretary, hereby certify that the foregoing minutes represent a true, accurate, and complete record of the meeting held on April 28, 2022. This document constitutes the official minutes for the Highland City Library Board Meeting.



HIGHLAND CITY

# LIBRARY BOARD AGENDA REPORT ITEM #4a

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**DATE:** May 19, 2022  
**TO:** Library Board  
**FROM:** Donna Cardon, Library Director  
**SUBJECT:** Internet and Online Access Policy

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**PURPOSE:**

The Library Board will review the library's internet and online access policy.

**BACKGROUND:**

The Utah State Library Code 7-7-215-216 requires that public libraries have an internet use policy and that it be reviewed and ratified by the library's board every three years. The Library Board looked at the current Internet and Online Access Policy in our last meeting but felt that it was missing some components required by the State Code. The Board decided to take a closer look at the policy and make some changes and then vote to approve the reworked policy this month.

**FISCAL IMPACT:**

No fiscal impact

**STAFF RECOMMENDATION:**

After reviewing the proposed changes, the Library Board ratify the policy as amended.

**PROPOSED MOTION:**

I propose that we ratify the amended Internet and Online Access policy.

**ATTACHMENTS:**

1. Internet and Online Access Policy v1
2. Internet and Online Access Policy v2
3. Internet and Online Access Policy v2 (clean copy)
4. State Code 9 7 215
5. State Code 9 7 216

## Highland City Library: Internet and Online Access Policy

Providing public access to the internet enables the Highland City Library to greatly expand access to information and to fulfill our mission of facilitating access to information.

~~It is the intent of this policy to meet the requirements of Sections 9-7-215 and 9-7-216 Utah Code Annotated, Administrative Rule R458-2 and the federal Children's Internet Protection Act for the purpose of preserving the Library's eligibility for any state and federal funding for which it qualifies. This policy meets the provisions of Utah Code Sections 9-7-213, 9-7-215, 9-7-216, and Administrative Rule R458-2-1. The purpose is to provide Internet safety and Internet safety for minors by prohibiting Internet access to visual depictions of sexually explicit material that are child pornography, harmful to minors, or obscene. Consistent with Library policy and pursuant to Utah Code Annotated (UCA) 9-7-215 the Library employs a technology protection measure on all publicly accessible computers connected to the Internet and on the wireless Internet connection that is designed to block or filter visual depictions that are: 1) child pornography, 2) harmful to minors; or 3) obscene; without, in as much as possible, infringing on the rights of library patrons to access constitutionally protected materials. The Highland City Library Board has also approved filtering all publicly accessible Internet computers and wireless Internet access for online gambling in accordance with Utah Code Annotated (UCA) 76-10-1102 which establishes that gambling in any form is a class B misdemeanor.~~

~~In further compliance with UCA 9-7-215(4) an administrator, supervisor, or other representative of the library may disable a technology protection measure at the request of an adult library patron to enable access for research or other lawful purposes on the publicly accessible computers connected to the Internet.~~

Administrative procedures and guidelines for staff to follow in enforcing this policy have been established and are available for public review at the Library circulation desk or on the Library website (<http://highlandcityLibrary.org>). Procedures to be used to handle complaints about this policy or its enforcement are available at the Library circulation desk.

~~The Highland City Library prohibits access to the internet or online sites that are harmful to minors, specifically those sites that contain obscene material, visual depictions of pornography of any kind, including child pornography, essentially prurient content, or are used for illegal purposes. The Library may also prohibit access to internet sites which affect others' use of the Library resources, such as sites which may require large amounts of bandwidth. To enforce this policy, the Library will utilize technology protection measures on all computers with internet access in the Library. All computer and electronic device usage in the Library is~~

subject to these prohibitions, including use of Library computers, computers or electronic devices connected to the Library's wireless network, ~~computers or electronic devices accessing the internet using a cellular connection,~~ and computers or electronic devices on which such material was stored prior to entering the Library.

Anyone who uses Library computers or wireless connection in Violations-violations of this policy may result in the Library taking disciplinary actions, including termination of internet or Library privileges ~~or and any other appropriate~~ legal ~~remedy~~action. Library staff is also subject to computer, internet, network, and e-mail use policies as outlined in the City's Personnel Policy and Procedures Manual.

The Library may institute time limits on computer usage based on demand. Only equipment and software owned and installed by the Highland City Library may be used on Library computers. Adding, deleting or modifying the installed hardware or software is expressly prohibited.

Outside disks, portable hard drives, and flash drives will be allowed to be connected to Library computers. The Library is not liable for any damage made to the patron's equipment and patrons shall be responsible for damage to Library computers if connected inappropriately. Patron may not open or install prohibited materials on Library computers.

Patrons may connect to the Library wireless network but do so at their own risk. Library staff are unable to provide technical support in setting up or maintaining access to the wireless network.

Patrons may print from Library computers and shall pay for all copies at the posted rate. Patrons using the wireless network do not have the ability to print to the Library printer.

The Library also reminds patrons that use of the internet requires good judgment and discretion in their use of this valuable resource. It is important to note:

- Not all internet sites provide accurate, complete or current information. It is the responsibility of each user to personally evaluate information they find on the internet.
  - Some users may be offended by content they find on the internet.
  - Restriction of a child's access to the internet is the responsibility of the parent/legal guardian. The Library encourages parents to learn and explore the internet with their children and to supervise their use.
  - Library staff is available to assist users in locating the information they need and to carry out administrative procedures in order to ensure compliance to this policy.
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The Highland City Library Board originally developed and adopted an Internet and Online Access Policy on August 13, 2008. The policy was revised and adopted by the Library Board on April 22, 2019. This policy will be reviewed by the Highland City Library Board at least every three years, and a copy of the new policy will be sent to the Utah State Library Division as required by Administrative Rule R458-2

# Highland City Library Internet and Online Access Policy

## Administrative Procedures

As a result of the Internet and Online Access Policy adopted by the Library Board, these procedures and guidelines are for staff to follow to enforce policy.

These procedures and guidelines are available for public review and will be available at the circulation desk and on the Library website.

Library staff reserves the right to monitor usage of all computers in the Library to ensure compliance with the Internet and Online Access Policy. If a patron observes inappropriate internet usage by another patron, they should report it directly to Library staff to take immediate and effective action.

The policy prohibits access of sites that are harmful to minors, in the following categories:

Sites that contain obscene or violent material

Obscenity is defined in the US Code Title 20, section 9101 (8) as:

- (A) the average person, applying contemporary community standards, would find that such project, when taken as a whole, appeals to the prurient interest;
- (B) such project depicts or describes sexual conduct in a patently offensive way; and
- (C) such project, when taken as a whole, lacks serious literary, artistic, political, or scientific value.

The Library also prohibits access to sites for illegal purposes. This includes, but is not limited to, activities that are prohibited by law (i.e., gambling, terrorism, etc.).

The Library may also prohibit access to internet sites which affect others' use of the Library resources, such as sites which may require large amounts of bandwidth. These will be determined by the Library Director on an individual basis, upon consultation of the city network administrator.

Consequences of violations of this policy include:

- Ask the patron to cease using that particular site, as it is in violation of Library policies.
- Inform the patron their computer session for the day is now over.
- Suspend computer access and/or Library access.
- Inform the patron they may not use the computer and/or Library until reviewed by the Library Director.
- Report incident to police.

The consequence will depend on the severity of the situation. Patrons who refuse to comply with these procedures should be asked to leave the Library. Those that refuse may be referred to the police for trespassing.

In enforcing policies, Library staff is NOT enforcing the law. Rather, staff are enforcing Library policies related to the use of electronic resources and the management of the Library as a safe public space, and drawing on state statutes on which the policy was established, rather than arbitrary criteria.

Any incident in which a patron is noted violating policy should be documented and filed with the Library Director.

Patrons who have complaints about this policy, the enforcement of it, or about observed patron behavior should be immediately referred to the Library Director

Approved by the Highland City Library Board April 22, 2019

## Highland City Library: Internet and Online Access Policy

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~~by prohibiting Internet access to visual depictions of sexually explicit material that are child pornography, harmful to minors, or obscene. Consistent with Library policy and pursuant to Utah Code Section Annotated (UCA) 9-7-215, the Library employs a technology protection measures on all publicly accessible Library computers connected to the i~~Internet ("Library Computers") and on the Library's wireless ~~i~~Internet connection access ("Library Wireless"). Access to ~~that is designed to block or filter visual depictions that are~~ ~~1) child pornography, 2) harmful to minors, or 3) obscene;~~ are blocked ~~without, in as much as possible, infringing on the rights of library patrons to access constitutionally protected materials. Access to the internet for any illegal purpose is prohibited on Library Computers and on Library Wireless. Accordingly, access to online gambling is specifically prohibited and blocked on The Highland City Library Computers and Library Wireless Board has also approved filtering all publicly accessible Internet computers and wireless Internet access for online gambling in accordance with Utah Code Annotated (UCA) Section 76-10-1102 which establishes that gambling in any form is a class B misdemeanor. Library staff, at the request of an adult patron, may enable access to otherwise blocked sites for research or other lawful purposes on Library Computers or Library Wireless.~~

~~In further compliance with UCA 9-7-215(4) an administrator, supervisor, or other representative of the library may disable a technology protection measure at the request of an adult library patron to enable access for research or other lawful purposes on the publicly accessible computers connected to the Internet.~~

Administrative procedures and guidelines for staff to follow in enforcing this policy have been established and are available for public review at the Library circulation desk or on the Library website (<http://highlandcityLibrary.org>). Procedures to be used to handle complaints about this policy or its enforcement are available at the Library circulation desk.

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Outside disks, portable hard drives, and flash drives ~~will may be allowed to be~~ connected to Library ~~Ce~~computers. ~~However, t~~The Library is not liable for any damage ~~made~~ to the patron's equipment, and patrons shall be responsible for ~~physical or virtual~~ damage to Library ~~Computers caused by the outside equipment computers if connected inappropriately~~. Patrons may not open ~~or install~~ prohibited materials ~~or install any software~~ on Library ~~Ce~~computers.

Patrons may connect to the Library ~~W~~wireless ~~network~~ but do so at their own risk. Library staff are unable to provide technical support in setting up or maintaining access to the ~~Library W~~wireless ~~network~~.

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- Not all internet sites provide accurate, complete, or current information. It is the responsibility of each user to personally evaluate information they find on the internet.
- Some users may be offended by content they find on the internet.
- Restriction of a child's access to the internet is the responsibility of the parent/legal guardian. The Library encourages parents to learn and explore the internet with their children and to supervise their use.
- Library staff is available to assist users in locating the information they need and to carry out administrative procedures in order to ensure compliance ~~with~~ this policy.

Any use of the Library Computers or Library Wireless in violation of this policy may result in the Library taking disciplinary actions, including termination of internet or Library privileges and appropriate legal action. Library staff is also subject to computer, internet, network, and e-mail use policies as outlined in the City's Personnel Policy and Procedures Manual.

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## Highland City Library Internet and Online Access Policy

### Administrative Procedures

As a result of the Internet and Online Access Policy adopted by the Library Board, these procedures and guidelines are for staff to follow to enforce policy.

These procedures and guidelines are available for public review and will be available at the circulation desk and on the Library website.

Library staff reserves the right to monitor usage of all computers in the Library to ensure compliance with the Internet and Online Access Policy. Library staff will also respond to complaints made by patrons about internet usage. ~~If a patron observes inappropriate internet usage by another patron, they should report it directly to Library staff to take immediate and effective action.~~

The Internet and Online Access Policy ~~policy~~ prohibits access ~~to of~~ sites that are harmful to minors, including s the following categories:

Sites that contain child pornography, obscenity, or violent material.

Obscenity is defined in the US Code Title 20, section 9101-(8) as:

- (A) the average person, applying contemporary community standards, would find that such project, when taken as a whole, appeals to the prurient interest;
- (B) such project depicts or describes sexual conduct in a patently offensive way; and
- (C) such project, when taken as a whole, lacks serious literary, artistic, political, or scientific value.

The Library also prohibits access to sites for illegal purposes. This includes, but is not limited to, activities that are prohibited by law (i.e., gambling, terrorism, etc.).

The Library may also prohibit access to internet sites which affect others' use of the Library resources, such as sites which may require large amounts of bandwidth. These will be determined by the Library Director on an individual basis, upon consultation of the city network administrator.

Consequences of violations of this policy include:

- Ask the patron to cease using ~~that a~~ particular site, ~~as it is in violation of Library policies.~~
- Inform the patron their computer session for the day is ~~now~~ over.
- Suspend computer ~~access~~ and/or Library access.
- Inform the patron they may not use the computer and/or Library until reviewed by the Library Director.

- Report incident to police.

The consequence will depend on the severity of the situation. Patrons who refuse to comply with these procedures should be asked to leave the Library. Those that refuse may be referred to the police for trespassing.

In enforcing policies, Library staff is NOT enforcing the law. Rather, staff are enforcing Library policies related to the use of electronic resources and the management of the Library as a safe public space, and drawing on state statutes on which the policy was established, rather than arbitrary criteria.

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Approved by the Highland City Library Board April 22, 2019

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Consistent with Library policy and pursuant to Utah Code Section 9-7-215, the Library employs technology protection measures on all publicly accessible Library computers connected to the internet ("Library Computers") and on the Library's wireless internet access ("Library Wireless"). Access to visual depictions that are child pornography, harmful to minors, or obscene are blocked without, in as much as possible, infringing on the rights of library patrons to access constitutionally protected materials. Access to the internet for any illegal purpose is prohibited on Library Computers and on Library Wireless. Accordingly, access to online gambling is specifically prohibited and blocked on Library Computers and Library Wireless in accordance with Utah Code Section 76-10-1102. Library staff, at the request of an adult patron, may enable access to otherwise blocked sites for research or other lawful purposes on Library Computers or Library Wireless.

The Library may prohibit access to internet sites which affect others' use of the Library resources, such as sites which may require large amounts of bandwidth. The Library may institute time limits on computer usage based on demand.

Only software owned and installed by the Highland City Library may be used on Library computers. Adding, deleting or modifying the installed hardware or software is expressly prohibited. Outside disks, portable hard drives, and flash drives may be connected to Library Computers. However, the Library is not liable for any damage to the patron's equipment, and patrons shall be responsible for physical or virtual damage to Library Computers caused by the outside equipment. Patrons may not open prohibited materials or install any software on Library Computers.

Patrons may connect to the Library Wireless but do so at their own risk. Library staff are unable to provide technical support in setting up or maintaining access to the Library Wireless.

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- (C) such project, when taken as a whole, lacks serious literary, artistic, political, or scientific value.

The Library also prohibits access to sites for illegal purposes. This includes, but is not limited to, activities that are prohibited by law (i.e., gambling, terrorism, etc.).

The Library may also prohibit access to internet sites which affect others' use of the Library resources, such as sites which may require large amounts of bandwidth. These will be determined by the Library Director on an individual basis, upon consultation of the city network administrator.

Consequences of violations of this policy include:

- Ask the patron to cease using a particular site.
- Inform the patron their computer session for the day is over.
- Suspend computer and/or Library access.
- Inform the patron they may not use the computer and/or Library until reviewed by the Library Director.
- Report incident to police.

The consequence will depend on the severity of the situation. Patrons who refuse to comply with these procedures should be asked to leave the Library. Those that refuse may be referred to the police for trespassing.

In enforcing policies, Library staff is NOT enforcing the law. Rather, staff are enforcing Library policies related to the use of electronic resources and the management of the Library as a safe public space, and drawing on state statutes on which the policy was established, rather than arbitrary criteria.

Any incident in which a patron is noted violating policy should be documented and filed with the Library Director.

Patrons who have complaints about this policy, the enforcement of it, or about observed patron behavior should be immediately referred to the Library Director

Approved by the Highland City Library Board April 22, 2019

**Effective 5/9/2017**

**9-7-215 Internet and online access policy required.**

- (1) As used in this section:
  - (a) "Child pornography" is as defined in Section 76-5b-103.
  - (b) "Harmful to minors" is as defined in Section 76-10-1201.
  - (c) "Obscene" is as defined in 20 U.S.C. Sec. 9101.
  - (d) "Technology protection measure" means a technology that blocks or filters Internet access to visual depictions.
- (2) State funds may not be provided to any public library that provides public access to the Internet unless the library:
  - (a)
    - (i) has in place a policy of Internet safety for minors, including the operation of a technology protection measure:
      - (A) with respect to any computer or other device while connected to the Internet through a network provided by the library, including a wireless network; and
      - (B) that protects against access to visual depictions that are:
        - (I) child pornography;
        - (II) harmful to minors; or
        - (III) obscene; and
    - (ii) is enforcing the operation of the technology protection measure described in Subsection (2)(a)(i) during any use by a minor of a computer or other device that is connected to the Internet through a network provided by the library, including a wireless network; and
  - (b)
    - (i) has in place a policy of Internet safety, including the operation of a technology protection measure:
      - (A) with respect to any computer or other device while connected to the Internet through a network provided by the library, including a wireless network; and
      - (B) that protects against access to visual depictions that are:
        - (I) child pornography; or
        - (II) obscene; and
    - (ii) is enforcing the operation of the technology protection measure described in Subsection (2)(b)(i) during any use of a computer or other device that is connected to the Internet through a network provided by the library, including a wireless network.
- (3) This section does not prohibit a public library from limiting Internet access or otherwise protecting against materials other than the materials specified in this section.
- (4) An administrator, supervisor, or other representative of a public library may disable a technology protection measure described in Subsection (2):
  - (a) at the request of a library patron who is not a minor; and
  - (b) to enable access for research or other lawful purposes.

Amended by Chapter 208, 2017 General Session

**9-7-216 Process and content standards for policy.**

- (1)
  - (a) Each library's policy shall be developed under the direction of the library board, adopted in an open meeting, and have an effective date. The library board shall review the policy at least every three years, and a footnote shall be added to the policy indicating the effective date of the last review.
  - (b) Notice of the availability of the policy shall be posted in a conspicuous place within the library for all patrons to observe. The library board may issue any other public notice it considers appropriate to inform the community about the policy.
- (2) The policy shall:
  - (a) state:
    - (i) that it restricts access to Internet or online sites that contain material described in Section 9-7-215; and
    - (ii) how the library board intends to meet the requirements of Section 9-7-215;
  - (b) inform patrons that administrative procedures and guidelines for the staff to follow in enforcing the policy have been adopted and are available for review at the library; and
  - (c) inform patrons that procedures for use by patrons and staff to handle complaints about the policy, its enforcement, or about observed patron behavior have been adopted and are available for review at the library.

Amended by Chapter 193, 2004 General Session