

GENESEE COMMUNITY COLLEGE
Batavia, New York

Procedure: LIBRARY INTERNET USE

Number: 106.8

Date: June 7, 2010

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Cross Reference: Policy #1021: Policy on Sexual Harassment
Procedure #105: Computer Services Operation
Procedure #105.2: Computer Operations Security Procedures
Procedure #243: Employee Misuse of College Computing Resources
Procedure #245: Employee Access to Computer System
Procedure #401: Student Code of Conduct
Procedure #418: Children on Campus
Procedure #420: Student Misuse of College Computing Resources

Supersedes: Previous Procedure dated February 3, 2006

Introduction:

The Genesee Community College library is a major information source for the college and community. The library provides access to the larger world of human expression, and connects individuals with the ideas, information, and images they seek and need. Access to printed, visual, physical, electronic and online (internet) information resources is provided. By providing information across the spectrum of human interests and thought, and making information resources available and accessible to our users, individuals using the library are enabled to exercise their First Amendment right to seek and receive all types of constitutionally protected expression, from all points of view.

In providing access to resources, including the internet, the library is guided by its mission statement and the following American Library Association statements on access to information: *Library Bill of Rights*, *Freedom to Read Statement*.

The library provides a physical space for research, study and learning. The library staff has a responsibility to maintain a pleasant and productive environment. These rules and procedures are designed to establish and maintain this environment. It is expected that all library users will follow these rules and will not infringe on the rights of others as they explore the wide range of information available on the internet. Parents and guardians are solely responsible for monitoring their children's internet access while in the library.

Scope:

The scope of this procedure is to define acceptable and prohibited internet use in the library.

Acceptable Library Internet Use:

The library upholds and affirms the right of individuals to access constitutionally protected materials on the internet, including materials some users may consider offensive. To fulfill our dual commitments to

intellectual freedom and public responsibility we place some restrictions on internet use in the library.

Prohibited Library Internet Use:

- Illegal use of the internet is prohibited.
- Obscenity* and child pornography are illegal, and library users may not use the library's internet access to view, display, print, download, save to removable media, distribute, send or receive images, text or graphics of obscene material or material that violates laws relating to child pornography. Federal and state statutes and the U.S. Supreme Court define and proscribe such materials. See: 18 U.S.C. §§ 1460-1470, et al; Miller v. California, 413 U.S. 15 (1973) and N.Y. Penal Law § 235.
- Federal and New York State law prohibits disseminating obscene materials to minors, and disseminating obscene materials to minors is not allowed in the library. See: 18 U.S.C. §§ 2251-2256, et al, N.Y. Penal Law § 235.

*"Obscene." Any material or performance is "obscene" if (a) the average person, applying contemporary community standards, would find that considered as a whole, its predominant appeal is to the prurient interest in sex, and (b) it depicts or describes in a patently offensive manner, actual or simulated: sexual intercourse, sodomy, sexual bestiality, masturbation, sadism, masochism, excretion or lewd exhibition of the genitals, and (c) considered as a whole, it lacks serious literary, artistic, political, and scientific value. Predominant appeal shall be judged with reference to ordinary adults unless it appears from the character of the material or the circumstances of its dissemination to be designed for children or other specially susceptible audience. (N.Y. Penal Law § 235(1))

In addition, acceptable computer and internet use and restrictions on use are defined according to the following Genesee Community College policies and procedures:

- Policy #1021: Policy on Sexual Harassment
- Procedure #105: Computer Services Operation
- Procedure #105.2: Computer Operations Security Procedures
- Procedure #243: Employee Misuse of College Computing Resources
- Procedure #245: Employee Access to Computer System
- Procedure #401: Student Code of Conduct
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All library users, regardless of status or affiliation, are subject to all of the restrictions defined in all of these policies and procedures.

Failure to Comply:

Failure to comply with the acceptable use guidelines and restrictions that govern the library's and college's computing and internet resources as stated in these documents may result in immediate suspension of network, computer and/or internet access privileges and, where necessary, civil liability and/or criminal prosecution.