

## **205 Internet Policy**

### **205.1 Mission Statement**

The Plano Public Library (“Library”) is committed to providing open access to cultural, intellectual and informational resources for library patrons of all ages and backgrounds.

### **205.2 Internet Policy**

The Internet is a resource that enables the Library to provide the public access to information beyond the confines of its own collection. Currently, it is an unregulated medium and, while it makes available material that is personally, professionally, culturally and educationally enriching, it also enables the user to access material that may be inaccurate, misleading, offensive, disturbing, and/or illegal.

The Library is not a full service Internet provider. Services which may not be available include, but are not limited to, newsgroups and chat lines. Patrons will not be permitted to load their own software on City provided computers.

The City of Plano disclaims any responsibility to monitor for, or prevent viruses that may be transmitted electronically. Patrons are advised to take precautions for eliminating viruses or other software corruption.

Data that is transmitted on the City of Plano network may be viewed or intercepted by others. The City of Plano cannot be held responsible for any confidential or financial information transmitted over the Internet. Further, the City disclaims any liability for unauthorized security breaches and by connecting to the Internet users acknowledge the risks associated with internet use.

The City of Plano does not promote or condone the use of its computer system for illegal purposes and expressly prohibits the same as well as accessing illegal sites. Further, the City finds there is material on the Internet, while not obscene, is not appropriate for minors due to explicit sexual descriptions or graphics. The City recognizes that minors utilize all Library resources, including Internet, outside of their parents’ presence. The City of Plano, through the Library, has a compelling interest to assist parents in protecting the welfare of minors\* who are vulnerable and unable to make critical decisions in an informed and mature manner, particularly

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when viewing illegal material on the Internet. To address these concerns all but one computer in each library has filtering devices for the purpose of blocking illegal material for all users including materials that are harmful to minors in accordance with state law.\*\*

To utilize the Internet you must possess a Plano library card, supplemental card, or guest pass. Minors must have a parent or legal guardian make an election for filtering, if any, the child may use. Minors whose parents allowed them to have unrestricted Internet use and adults may access the unfiltered computer if the sites(s) desired is not available on the filtered computer.

Even filters cannot ensure that obscene and other illegal materials are not available. Due to the Internet capability to constantly change and establish new sites, user expertise, and other technology, it is still possible to access illegal, obscene or offensive sites. The City of Plano makes no guarantee that such access will not occur even with the use of filters. The selection of a filtering program is solely within the discretion and judgment of the City. Users must accept responsibility for information displayed or printed during their Internet session. Bypassing security or web filters in place is prohibited.

The City of Plano cannot guarantee that access to sites containing adult entertainment, pornography or illegal activities will be blocked. The City of Plano expressly disclaims any liability or responsibility resulting from the use of its computer system or selection of a filtering program.

\*Minors – Persons who are under 18 years of age

\*\*Illegal materials are those that meet the definition of obscenity and harmful materials to minors as defined by the Texas Penal Code Sections 43.21 and 43.24 as follows

The Texas Penal Code defines obscenity as:

“Material the average person applying contemporary community standards would find that taken as a whole, it appeals to prurient interest in sex; and depicts or describes patently offensive representation or descriptions of:

Ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or,

Patently offensive representations or description of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernible turgid state or a



device designed and marketed as useful primarily for stimulation of the human genital organs; and,

Taken as a whole, lacks serious literary, artistic, political or [note] and scientific value.”  
T.P.C. 43.21.

The Texas Penal Code defines material harmful to minors as material whose dominant theme taken as a whole:

- Appeals to the prurient interest of a minor in sex, nudity, or excretion;
- Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and,
- Is utterly without redeeming social value for minors. T.P.C. 43.24

### 205.3 **Wireless Internet Access**

The Policy for public use of City of Plano computers extends to City of Plano wireless access.

The City of Plano does not guarantee the availability of wireless service. It is provided on an “as available” basis, without warranties of any kind.

The ability to access and use this service is affected by the patron’s software and hardware. As the configuration of each manufacturer’s device is unique, the patron will need to troubleshoot any issues associated with their device. City of Plano staff is not permitted to assist with user connectivity issues or user computer issues of any type. If City staff is contacted for assistance they will only verify the current operational state of the wireless network.