

## **University / College Library Public Computer Use Policy**

### **Purpose**

The University/College Library (U/CL) provides access to electronic information and Internet resources that support the educational and research needs of the students, faculty, and staff of Broward College (BC) and Florida Atlantic University (FAU). U/CL upholds the principles of the First Amendment and the American Library Association's *Access to Electronic Information, Services and Networks: An Interpretation of the Library Bill of Rights* (<http://www.ala.org>). In addition, U/CL bears the responsibility for providing current BC and FAU patrons with an environment conducive to teaching and learning and must effectively manage equipment and resources.

Computer privileges are dependent on acceptance of and compliance with the Computer/Internet Usage Policy of the College and/or University's Student Handbook (Fla. St. 240.3191 and 240.2097 <http://www.leg.state.fl.us/Statutes/>). BC patrons are also governed by BC's Policy and Procedures Manual, Section VIII: Information Technology, <http://www.broward.edu/polprocman/tocsect8.jsp>. FAU patrons are also governed by the Information Resource Management Technology Policy, <http://www.fau.edu/irm/techpolicies.pdf>.

### **Access**

Use of computer equipment for research, Internet, and e-mail usage is limited to currently registered BC and FAU students, and currently employed BC/FAU faculty and staff. Children are not permitted to use the computers. Parents or legal guardians are responsible for their children's inadvertent viewing of another patron's screen. The computers are not to be used for recreational or commercial activity. Additionally, while U/CL respects a patron's right to privacy and the confidentiality of records, patrons must be sensitive to the fact that the computers are in public areas and, therefore, images on the screen or e-mail transmissions over the networks are subject to viewing by others. U/CL will not be responsible for any harm or damages a user may suffer because of information obtained or given via the Internet. During peak usage periods the demand to access electronic information may exceed the supply of workstations available. When this occurs, the Library Staff may limit the amount of time an individual may use a workstation.

### **Controversial Materials**

The increasing reliance on electronic information resources necessitates that all U/CL patrons use the equipment and access information appropriately and responsibly. Patrons should be aware that some material on the Internet might be controversial, offensive, or inaccurate. Out of consideration for others, patrons are asked not to display or transmit images, sounds, or messages that could create an atmosphere of discomfort, intimidation, or harassment. Patrons should also be aware that any act, photograph, or word prohibited by federal, state, and/or local law or regulation is similarly prohibited by this policy.

### **Rules Governing Use**

The following are examples of the types of activities which are prohibited:

Any unauthorized or deliberate action, which damages or disrupts normal use and service, alters normal performance, or causes a malfunction. (e.g., the willful introduction of "viruses"

or other disruptive or destructive programs; damaging the hardware or software of a workstation; reconfiguring hardware or software, or connecting one's personal computer or laptop to the network.)

Displaying images, sound, or text, which disrupt or create an atmosphere of distress or harassment to other patrons or staff.

Committing illegal or unethical acts, including unauthorized entry into other computers or unauthorized use of another individual's identification and password.

Using computers for commercial purposes or financial gain including but not limited to offering for sale any products or services, soliciting for advertisers or sponsors, or transmitting any unsolicited or unauthorized advertising or promotional material (e.g., "junk mail," "spam," "chain letters" etc.).

Using reference computers for recreational activities such as Chat or Gaming activities, MOOs, MUDs, etc.

Violating local, state, federal law or regulation, or college or university policy, including the access or transmission of any material is prohibited. This includes, but is not limited to threatening, abusive, defamatory, harassing, hateful, libelous, vulgar, or obscene material. Sexually explicit materials or child pornography are not constitutionally protected speech. The U.S. Supreme Court and the Florida Supreme Court have defined obscene material as that which:

- a) The average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest;
- b) Depicts or describes, in a patently offensive way, sexual conduct as defined in Chapters 815 and 847 Florida Statutes; <http://www.leg.state.fl.us/Statutes/>
- c) Taken as a whole, lacks serious literary, artistic, political, or scientific value.

Violating copyright laws, fair use provisions through inappropriate reproduction or dissemination of licensed or copyrighted text, images, etc., violating software license agreements, or material protected by trade secret. Everything on the Internet is to be considered copyrighted or licensed.

### **Digital Millennium Copyright Act**

The Digital Millennium Copyright Act (DMCA) enacted in October 1998, amended the Copyright Act, by adding specific provisions relating to digital content. The DMCA enforces laws to prevent the circumvention of software or other technological locks that give copyright holders the right to control access, print, download, copy, or further distribute their digital works. Under DMCA, it is a civil and criminal offense for anyone to circumvent anti-piracy measures in software, to disseminate software or other copyrighted digital material without permission, or to manufacture code cracking devices. Fair Use is not a defense to the criminal act of unauthorized circumvention.

Distributing copyrighted materials over the Internet for which the patron does not have permission is a violation of the DMCA. It is illegal to download music, games, or videos through peer-to-peer file-sharing programs without permission or to use such types of software on the computer network. The recreational downloading of copyrighted materials is a violation of

federal law, university, and college policy. This law is enforced by federal investigators and by the owners of copyrighted materials.

**Enforcement**

U/CL patrons are asked to report apparent violations to Library Staff members. The Library Staff member will follow established procedures in reporting these violations to the Library Dean or designee and Campus Safety. Accessing the Internet through U/CL equipment is a privilege, not a right, and inappropriate use, including violation of this policy may result in cancellation of library privileges and patrons committing violations will be referred to the institution in which they are enrolled for appropriate action.

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