



# COUNCIL DECISION REQUEST

SUBJECT: Library Internet Policy – ARS & CIPA Compliance

MEETING DATE: 21 November 2013

SUBMITTED BY: Emily Linkey

SUBMITTAL TO AGENDA  
APPROVED BY TOWN MANAGER

AMOUNT BUDGETED: 0

EXPENDITURE REQUIRED: 0

  
\_\_\_\_\_

EXHIBITS (If Applicable, To Be Attached):

**POSSIBLE MOTION**

Approval of the attached library policy titled, “Payson Public Library Internet Use Policy Relating to Preventing Minors from Gaining Access to Visual Depiction that are Child Pornography, Harmful to Minors, or Obscene.”

**SUMMARY OF THE BASIS FOR POSSIBLE MOTION:**

ARS 34-502 (E) requires that “A governing body that operates a public library shall develop a policy for the library to implement the rules developed pursuant to subsection D of this section that are adopted at an open meeting. The governing body shall review the policy at least every three years.” In compliance with this statute, it is necessary for the Town Council of Payson to adopt the following policy in an open meeting.

**PROS:** We would be in compliance with state law.

**CONS:** There is always a chance that a member of the community will take issue with these statutes, however legally we are required to comply.

**FUNDING:**

|       |         |            |          |            |
|-------|---------|------------|----------|------------|
| Acct: | Budget: | Available: | Expense: | Remaining: |
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FM: \_\_\_\_\_ Date: \_\_\_\_\_

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## Payson Public Library Internet Use Policy Relating to Preventing Minors from Gaining Access to Visual Depictions that are Child Pornography, Harmful to Minors, or Obscene.

The Payson Public Library (“Library”) is fully aware of and concerned for, a safe educational Internet experience for children despite the unregulated nature of the Internet. A.R.S. 34-501 and 502 (Computer Access Harmful to Minors) requires public libraries to adopt policies to prevent minors from gaining access to internet sites containing content harmful to minors.

The Library provides filtered access to the Internet for its patrons in order to adhere to the requirements set forth in the Arizona Revised Statutes and the Federal Children’s Internet Protection Act (CIPA). Because filtering software is inherently imperfect, although the Library strives to appropriately filter Internet content, the Library cannot guarantee that all Internet content will be appropriately filtered at all times.

Pursuant to A.R.S. 34-502(C) adult library patrons may request unfiltered Internet access for research or other lawful purposes. Such requests should be direct to the Research Desk and may require up to 24 hours advance notice. Disabling the Internet filter in no way exempts the requesting patron from A.R.S. 13-3507 which criminalizes the “public display of explicit sexual material.”

A.R.S. 13-3501, 13-3502, 13-3506, 13-3507, 34-501, and 34-502 are available at the reference desk.

This Policy was adopted at a public meeting by the Town Council on \_\_\_\_\_ pursuant to the requirements of A.R.S. 34-502(E).