



To: Toronto Public Library Board – May 13, 2002

From: City Librarian

Subject: **Internet Service at Toronto Public Library**

Purpose:

To provide the Toronto Public Library Board with an overview of current policies and practices for Internet services at Toronto Public Library and to outline proposed areas of further investigation.

Funding Implications and Impact Statement:

Not applicable.

Recommendation:

It is recommended that the Toronto Public Library Board:

- (1) Receive for information the *Internet Service at Toronto Public Library* report;
- (2) Request that Library staff review current policies and practices to determine if further improvements can be made; and
- (3) Request that Library staff report to the Board at a later date on the outcome of the review.

Background:

This report has been prepared to provide the Board with context and information on the Library's Internet services in considering a Council motion. As a result of an incident reported at the Parkdale branch in which a customer objected to the content of what another customer was viewing on an Internet workstation, Councillor Korwin-Kuczinski introduced a motion at Toronto City Council at its meeting of April 16, 17, and 18, 2002. Council approved the motion which requested that:

Toronto Public Library Board be requested to immediately take the appropriate action to ensure that children are not exposed to pornographic materials;

AND BE IT FURTHER RESOLVED THAT the Toronto Public Library Board be requested to report back to the City of Toronto on measures taken;

A copy of the complete motion is provided in Attachment 1.

Comments:

Context:

The Library has been providing Internet services since the mid-1990's. The Internet has become increasingly important for delivering information and is now a core service of the Library. Currently, the Library offers Internet access at all of its branches on 1300 computers.

The Internet allows libraries to extend and complement their information resources as well as to provide the opportunity to connect electronically with ideas and commentary from around the globe. In the Library's strategic plan, building and improving online services was identified as a key priority. One of the Library's most important roles in this area is helping to bridge the "digital divide" by providing training and access to computers and the Internet to those who otherwise would not have the opportunity. A recent study by the federal government confirms this important role. It found that income has become the most important factor in determining the likelihood of Internet access. It also found that the most effective strategy to reach excluded social groups is by utilizing established community organizations that are already familiar to residents, like the public library.

With this important service have come new challenges. The Internet differs from other materials in the Library as its contents are not subject to the selection processes used to build traditional collections. Due to the unregulated nature of the Internet, some material is offensive and controversial. The Library attempts to protect customers from this type of material while continuing to offer access to an essential information resource.

The Board has considered carefully at various Board meetings the policy-related matters of providing Internet services. Complex management issues exist for public libraries because:

- (1) There is no control or regulation by the Internet industry itself or by government of the content of web sites;
- (2) Public libraries, by their very definition, are open to all citizens of all ages with diverse interests;
- (3) No one solution provides the appropriate balance of access and safety;
- (4) No perfect solution has been found that guarantees that all sites containing disturbing or illegal materials will be blocked.

Current Practices and Policies at Toronto Public Library

In recognition that no single measure is effective in providing a balanced approach to Internet services, a number of initiatives have been undertaken. In brief, they include:

- Developing an Internet Use policy approved by the Board and posting the policy online and in branches;
- Filtering children's workstations;
- Developing consistent booking guidelines for Internet computers to facilitate equity of access for customers;

- Developing *Kids' Space*, a children's web portal, which guides children to age appropriate web sites;
- Providing training sessions, *Families on the Net*, on Internet safety for children and their families;
- Providing training to staff on managing Internet services;
- Restricting the use of e-mail and chat to specific workstations;
- Purging cache files (material stored on the hard drive during Internet sessions) on a daily basis;
- Arranging workstations to separate children's and adult areas where space permits.

The Internet Use Policy (Attachment 2) acknowledges the unregulated nature of the Internet and the range of information and opinions found there. It specifically prohibits the use of Internet services for illegal purposes. It identifies that the Library does use filtering software on children's workstations, but also states that children's access to the Internet is the responsibility of parents or guardians and that children are entitled to access to all information and facilities in the Library. Finally, it refers to the Rules of Conduct policy which provides a tool for staff to intervene when customers are viewing material on the Internet which is controversial or objectionable.

In developing this policy, the Library did seek a legal opinion of the Library's responsibilities in offering Internet services. The legal opinion identified that the Library should practice due diligence in providing the service and that elements of due diligence include:

- Comprehensive Internet Policy;
- Guidelines for children;
- Technical restrictions;
- Complaints procedure;
- Service provisions;
- Filtering;
- Staff Training.

All of these measures have been implemented as outlined above and have been in place since the second quarter of 2000. It has been the Library's experience that together they have served as effective tools in managing Internet services. Complaints about customers accessing inappropriate material are infrequent. Most service issues concern managing equitable access to the workstation and dealing with conflicts that arise amongst competing demands for a very popular resource.

#### Filtering Software

In the area of filtering, the legal opinion obtained by the Board stated:

Installing filtering software on all Internet terminals would infringe freedom of expression, and could not likely be justified legally. Installing filtering software on some but not all Internet terminals likely would not infringe freedom of expression, and therefore would be permissible.

It was within this legal context that the Board decided to install filtering software on children's computers.

Filtering software is designed to limit access to specific portions of the Internet. All blocking programs classify web sites into a variety of categories created and defined by their producers. While each producer determines its own category lists, in general these category lists include sexually explicit content as well as other categories such as violence or hate literature. The review and classification of web sites is difficult because the Internet is both large and changing. In order to deal with the magnitude of the task, all producers of blocking software use automated site review and classification systems to produce the list of sites for possible categorization. Leading blocking programs use keyword analysis to identify web sites.

Despite the best efforts of these producers, no filtering software is completely effective, due to the enormity of the task and the imperfect ability of automated methods to recognize and filter all potentially offensive sites. There is extensive literature on this subject and various studies have been undertaken to measure the effectiveness of filtering software. All filtering software both underblocks, i.e. allow sites through that should have been blocked, and overblocks, i.e. denies access to sites that should not be blocked. A test conducted by Consumer Reports, published in their March 2001 issue, reported that the products they tested allowed at least 20 percent of sites that should have been blocked and blocked "good" sites by up to 63 percent. According to a Statistics Canada study published in 2001, less than ten percent of households utilized filtering software on their home computers.

In choosing its filtering software, the Library evaluated the products carefully and chose the best one available. However, it must be acknowledged that filtering is, at best, an imperfect tool. Education and awareness are at least as important in ensuring children's safety on the Internet.

#### Policies and Practices in other Libraries

Toronto Public Library's practices are in keeping with those of other urban public libraries. The libraries surveyed have similar Internet policies, including their policy on filtering workstations.

Although no aspect of the provision of Internet services by public libraries has been challenged in Canadian courts, the same is not true in the United States. There have been various legislative attempts in the U.S. to mandate filtering on computers in public libraries. All of these attempts have been challenged in the courts and have been struck down. Currently, the Child Internet Protection Act, which mandates libraries and schools install content filters on all computers that offer Internet access as a prerequisite to receiving federal grant funds is being challenged in a U.S. district court. A decision is expected in early May.

#### Proposed Next Steps and Areas of Investigation

Although the Library is currently providing Internet service in a responsible and proactive manner, it also recognizes the importance of continuing a relationship of trust established in our communities, especially with regard to the provision of collections and services aimed at children.

In response to the Council motion, the Library proposes to review current policies and practices to determine if further improvements can be made. Specifically, the following will be undertaken:

- Review the existing Internet Use Policy;
- Update the Library's legal opinion;
- Review any technological developments and identify possible improvements and any budget implications;
- Review the Library's current education/awareness public training initiatives;
- Review staff training.

The Union will be consulted on the staffing issues relative to this review.

It is recommended that staff report to the Library Board in the fall of 2002 outlining the results of the review and identifying any recommended changes to existing policies or practices and the budget impacts.

#### Conclusion:

This report provides an overview of the current policies and practices of the Toronto Public Library Board in the provision of Internet services and outlines the recommended plan of action in response to the Council request to review our Internet services. The Library is currently providing a responsible and balanced approach, but recognizes the importance of maintaining our position as a trusted community resource. A subsequent report will identify any recommended changes to existing policies and practices.

#### Contact:

Ron Dyck, Director, Information Technology and Bibliographic Services; Tel: 416-393-7104; Fax: 416-393-7083; E-mail: [rdyck@tpl.toronto.on.ca](mailto:rdyck@tpl.toronto.on.ca)  
Jane Pyper, Director, Service Planning & Support; Tel: 416-395-5602; Fax: 416-395-5542; E-mail: [jpyper@tpl.toronto.on.ca](mailto:jpyper@tpl.toronto.on.ca)

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City Librarian

#### List of Attachments:

- Attachment 1: April 30, 2002 correspondence to the City Librarian outlining a motion adopted at the April 16, 17 and 18, 2002 City of Toronto Council meeting – *Changes to the Internet Policy for City of Toronto's Public Libraries*
- Attachment 2: Toronto Public Library Board's Internet Use Policy including Rules of Conduct