



STAFF REPORT ACTION REQUIRED

Public Computing and Internet Use Policy

Date: June 19, 2023
To: Toronto Public Library Board
From: City Librarian

SUMMARY

The purpose of this report is to recommend the adoption of a new Public Computing and Internet Use Policy to replace the current Public Internet Use Policy. This is part of an ongoing review of Toronto Public Library (TPL) policies to improve service to customers.

The Public Computing and Internet Use Policy sets out the terms and conditions for public computing at TPL and addresses identified policy gaps, particularly in areas such as terms of use and liability. The policy aligns with the Library's Vision, Mission and Values, and references the new Intellectual Freedom and Equity Statements.

The new policy incorporates the current Public Internet Use Policy, a Customer Feedback process and reference to other related Library policies.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. Approves the new Public Computing and Internet Use Policy (Attachment 1).

Implementation Points

The Public Computing and Internet Use Policy will be posted on the Library's website and communicated to staff.

FINANCIAL IMPACT

This report has no financial impact beyond what has been approved in the current year's budget.

The Director, Finance & Treasurer has reviewed this financial impact statement and agrees with it.

ALIGNMENT WITH STRATEGIC PLAN

Approval of the new Public Computing and Internet Use Policy will enable TPL to advance its strategic priorities and allow the Library to fulfill its mission to preserve and promote universal access to a broad range of human knowledge, experience, information, and ideas.

EQUITY IMPACT STATEMENT

The policy aligns with relevant government legislation including the Accessibility for Ontarians with Disabilities Act (AODA), and states that the Library "supports the individual accessibility needs of persons with disabilities and respects the principles of dignity, independence, equal opportunity, and integration."

DECISION HISTORY

The Board originally approved the Public Internet Use Policy in 1998, with revisions approved in 1999, 2002 and most recently at its board meeting on [December 10, 2018](#).

ISSUE BACKGROUND

The current policy framework for public computing relies on other TPL policies. For example, the [Membership, Circulation and Collection Use Policy](#) governs access to computers as well as conditions of computer equipment borrowing, and the Rules of Conduct framework and the existing Public Internet Use Policy shape the conditions for the use of public computers. While this environment has worked well thus far, the results of an environmental scan of other North American library systems as well as previous experience within TPL point to gaps where a new policy should be created or policy terms made explicit, such as:

- Disclaimer against loss or damage including digital files and customer peripherals;
- Conditions of use (e.g. installing unauthorized software, bypassing time management software, unauthorized network access); and
- Privacy not covered in other policies such as information displayed on screens that may be viewed by others.

Broadening the policy beyond internet use will provide more clarity for customers around the conditions and limitations of computer use at TPL. It will also reduce the potential risk for the Library by forming “the basis of the ‘contract’ between [the] service provider and user under which the service is offered.”¹

¹ IFLA Freedom of Access to Information and Freedom of Expression (FAIFE) Expert Advisory Group. “IFLA Guidelines on Public Internet Access in Libraries.” *International Federation of Library Associations and Institutions*, https://repository.ifla.org/bitstream/123456789/1105/1/guidelines_on_public_internet_access.pdf. Accessed 5 June 2023.

COMMENTS

The Public Computing and Internet Use Policy explicitly ties public computing services to TPL's mission and values, specifically Equity, Inclusion and Intellectual Freedom. In December 2022, the Board approved the [Intellectual Freedom Statement](#). This policy has been updated to reflect the principles in the Statement including being a true force for democracy by providing universal access to knowledge, and facilitating the free exchange of information and ideas.

The new policy covers all aspects of public computing at TPL and provides greater clarity for customers around the conditions of using public computers. It also addresses identified policy gaps, particularly in areas such as terms of use and liability, and reduces the Library's exposure to risk.

The scope of the new policy has been expanded to include public computing hardware, applications, and peripherals on adult, child and Digital Innovation Hub computers and borrowable laptops, as well as wired and wireless internet service. It also covers printing and scanning services, and computing devices provided by customers such as external flash drives or storage devices. TPL spaces such as recording studios and Adaptive Technology Suites, as well as electronic resources and hotspot lending & connectivity kits are out of scope for this policy.

A process for addressing customer complaints and concerns related to the policy has been developed and is outlined in the Customer Feedback section.

The new policy also aligns with relevant government legislation including the AODA, The Municipal Freedom of Information and Protection of Privacy Act, and the Criminal Code of Canada.

CONTACT

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SIGNATURE

Vickery Bowles
City Librarian

ATTACHMENTS

Attachment 1: Public Computing and Internet Use Policy – draft for approval
Attachment 2: Public Internet Use Policy – current policy to be replaced

Public Computing and Internet Use Policy

Policy Classification: Board Policy

Motion # and Approval Date:

Motion # and Last Revision Date:

Effective Date

June 19, 2023

Last Reviewed

June 19, 2023

Purpose

The Public Computing and Internet Use Policy (the Policy) governs computer, internet, and technology resource use at the Library. The purpose of this Policy is to set out the terms and conditions for public computing at the Library, and to ensure that internet use conforms with all applicable laws and the Library is maintained as a welcoming and supportive environment free from discrimination and harassment.

Scope

For the purpose of this Policy, public computing is defined as the in-branch hardware, applications, software, and peripherals such as keyboards, mice, and USB devices used by customers to effectively make use of the Library's public computers and/or wired or wireless networks. Internet services are defined as the Library's wired and wireless networks.

The Policy also includes printing and scanning services, as well as computing devices provided by customers such as external flash drives or storage devices.

The Policy applies to all library users with or without a library card using technology resources and internet services at all Library locations, online, or at an

external outreach location.

Internet access provided through the Library's lendable technology equipment (e.g., Wi-Fi Hotspots) is out of scope of this Policy and is covered by the corresponding loan policy and agreement form.

Underlying Principles

The Public Computing and Internet Use Policy is driven by principles defined in the Library's Values, Vision and Mission and in TPL's Equity Statement and Intellectual Freedom Statement.

The policy aligns with relevant government legislation such as Accessibility for Ontarians with Disabilities Act (AODA), Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and the Criminal Code of Canada.

The Library supports the individual accessibility needs of persons with disabilities and respects the principles of dignity, independence, equal opportunity, and integration.

Policy Statement

The Library provides free and reliable public access to computer hardware, software and internet service (wireless or wired) to fulfill its mission to preserve and promote universal access to a broad range of human knowledge, experience, information, and ideas.

1. General

- 1.1 Computer hardware, software and internet access enables the Library to connect customers to ideas, information, and commentary from around the globe and to offer access to many valuable local, national, and international resources.
- 1.2 Specific software, hardware, and technology resources may vary from branch to branch.
- 1.3 Access to anonymous web browsers is available at some locations.
- 1.4 Access to internet service provided by the Library is offered on a first

come, first served basis and may be subject to time limits.

- 1.5 The Library does not guarantee consistent quality and speed of hardware, software, and internet services across locations.
- 1.6 While every effort is made to have technology resources available for customer use, the Library may at times reserve technology resources for specific programs, services or upgrades and repairs.

2. Internet Safety & Privacy

- 2.1 The internet is an unregulated environment. It contains information and opinions that range in scope from reliable and authoritative to controversial or extremely offensive.
- 2.2 Some information found on the internet may not be accurate, complete, or current. Users must assess the validity of the information found.
- 2.3 Users should be aware that others might be able to view the information displayed on computer monitors, and that the internet is not secure and third parties may be able to obtain information about users' activities.
- 2.4 The Library assumes no responsibility for the security and privacy of transactions performed using computer hardware, software, and/or internet services.
- 2.5 The Library is not responsible for the privacy or security of confidential or sensitive information transmitted over the internet service.

3. Access by Minors

- 3.1 Specific Library workstation(s) and internet-enabled devices with filtering software are available for children ages 12 and under in designated areas of every branch (excluding the Toronto Reference Library). The Library assumes no responsibility for the accuracy or effectiveness of the filtering service.

- 3.2 Children ages 12 and under are entitled to access all information and facilities in the Library. As with other library materials, children's access to computing hardware, software, and the internet service is the responsibility of parents or guardians.

4. Liability

- 4.1 With the exception of filters on designated children's computers and internet-enabled devices, the Library does not manage the content of the information accessed through the wired or wireless internet service and only assumes responsibility for the information provided on Library-developed websites, apps, and other digital products.
- 4.2 The Library is not responsible for the content of links or secondary links from its website(s), affiliate websites, or third-party vendors.
- 4.3 The Library is not responsible for the loss or damage of files or customer peripherals when using computer hardware, software, or accessories.
- 4.4 The Library assumes no responsibility for any direct or indirect claims, damages or costs sought by users or third parties arising from users' access to public computing and internet service

5. Legal Compliance

- 5.1 The Library's users are subject to federal, provincial and municipal legislation regulating computer and internet use, including the provisions of the Criminal Code.
- 5.2 Use of the Library's computer hardware, software, or internet services for a purpose or action that is, or the Library reasonably believes to be, contrary to the law or any of the Library's [Rules of Conduct](#) or policies is prohibited.
- 5.3 Users must comply with copyright laws, privacy laws, licensing agreements, and other intellectual property rights. The Library is not responsible for infringements of these laws.

6. Public Space

- 6.1 Users should bear in mind that they are accessing computer hardware and the internet service in a public setting.
- 6.2 All users of the Library, including users of the Library's public computing and internet services are expected to follow the Library's [Rules of Conduct](#), which are designed to ensure a welcoming and supportive environment, free from discrimination and harassment.
- 6.3 Violations of this Policy and/or the [Rules of Conduct](#) may result in exclusion from the Library, suspension of Library privileges, and prosecution.

7. Staff Assistance

- 7.1 Upon request, staff may provide assistance with a customer's personal device(s) that may require Library staff to operate, change settings, and/or install/update software on the device.
- 7.2 The Library is not responsible for damage to property, equipment malfunction, configuration, and software changes or the loss or transmission of users' data as a result of staff assistance.
- 7.3 Staff may decline to provide assistance such as in situations that involve the disclosure of private information including financial and/or legal transactions, and/or requests that violate the Library's [Rules of Conduct](#).
- 7.4 Staff are available to provide assistance with Library computing resources, but may not be able to provide advanced technical support beyond the scope of their professional capabilities.

8. Conditions of Use

- 8.1 The Library reserves the right to limit internet use in terms of the amount of time used and/or network capacity/bandwidth, and terminate an internet and/or a computer session at any time.
- 8.2 Customers will be automatically logged off the computer when the session expires. The browsing history will be cleared, and all files saved to the computer will be deleted and non-recoverable as per the [Online Privacy](#)

[and Access to Information Policy.](#)

- 8.3 Non-TPL devices (e.g., laptops, tablets, portable gaming devices) must not be physically connected to the Library's network.
- 8.4 Users represent and warrant that all of the information they provide to the Library in order to log onto the computer is correct and current, and they are not prohibited by any law, order, or judgment (whether civil or criminal) from accessing the internet.
- 8.5 Unauthorized actions are strictly prohibited and may result in loss of internet access and possible suspension from the Library. These include, but are not limited to, altering or installing hardware or software, bypassing the computer reservation software, and unauthorized network access.

9. Customer Feedback on Computer or Wi-Fi usage

- 9.1 TPL welcomes suggestions, compliments or feedback in accordance with the Customer Service Feedback Standards & Practices.
- 9.2 The Library believes that a vital society encourages members of its community to actively participate in an open exchange of ideas and opinions.
- 9.3 The content accessed by some Library customers, may, on occasion, be considered to be offensive by other Library customers. The Library recognizes the right of any individual or group to reject content for personal use, but does not accord to any individual or group the right to restrict the freedom of others to make use of that same content.

9.39.4 [The Library does not manage the content of the information accessed through the wired or wireless internet service. The Library is also not responsible for the content of links or secondary links from its website\(s\), affiliate websites, or third-party vendors.](#)

9.49.5 Library customers who have feedback about Computer or Wi-Fi use may submit written feedback. Feedback forms are available for this purpose on TPL's website.

Accountability

The Director, Branch Operations & Customer Experience is responsible for ensuring the policy is implemented and enforced.

Related Legislation

- Accessibility for Ontarians with Disabilities Act (AODA)
- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Criminal Code of Canada

Related Library Policies and Statements

- [Rules of Conduct Policy](#)
- [Membership, Circulation and Collection Use Policy](#)
- [Accessibility for Persons with Disabilities Policy](#)
- [Online Privacy and Access to Information Policy](#)
- [Access to Information and Protection of Privacy Policy](#)
- [Online and Social Media Policy](#)
- [Programming Policy](#)
- [Intellectual Freedom Statement](#)
- [Equity Statement](#)

Related Standards, Procedures, and Guidelines

- Canadian Federation of Library Associations (CFLA) Statement on Intellectual Freedom and Libraries
- Ontario Library Association (OLA) Statement on Intellectual Freedom and the Intellectual Rights of the Individual
- International Federation of Library Associations and Institutions (IFLA) Guidelines on Public Internet Access in Libraries

Contact

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DRAFT

POLICY: PUBLIC INTERNET USE

SECTION: III - Public Service Policies

MOTION#/DATE: 98 - 152 – October 26, 1998

REVISED: 99 - 85 – June 14, 1999

99 - 125 – October 18, 1999

02 - 149 – September 23, 2002

18 - 217 – December 10, 2018

Purpose

The purpose of this policy is to balance the provision of internet access to the Library's users while ensuring that internet use conforms with all applicable laws and the Library is maintained as a welcoming and supportive environment free from discrimination and harassment.

Policy Scope

For the purposes of this policy, the Library's internet services are defined as the Library's wired and wireless networks.

Policy Statement

The Library provides public access to the internet to fulfill its mission to preserve and promote universal access to a broad range of human knowledge, experience, information, and ideas. Internet access is provided in keeping with the intellectual freedom statements of the Canadian Federation of Library Associations (CFLA-FCAB) and the Ontario Library Association (OLA).

The internet enables the Library to connect to ideas, information and commentary from around the globe and to offer access to many valuable local, national and international resources.

The internet is an unregulated environment. It contains information and opinions that range in scope from reliable and authoritative to controversial or extremely offensive. Some information found on the internet may not be accurate, complete, or current. Users must assess the validity of the information found. Users should be aware that the internet is not a secure medium and that third parties may be able to obtain information about users' activities. The Library assumes no responsibility for the security and privacy of online transactions.

Children, ages 12 and under, are entitled to access all information and facilities in the Library. As with other library materials, children's access to the internet and other electronic networks is the responsibility of parents or guardians.

In keeping with the Library's long-standing tradition of providing age-appropriate materials for children in safe and welcoming environments, workstations designated for children will be filtered. The Library assumes no responsibility for the accuracy or effectiveness of any installed filter.

With the exception of filters on designated children's workstations, the Library does not manage the content of the information accessed through the internet and assumes responsibility only for the information provided on its own home pages. The Library is not responsible for the site content of links or secondary links from its home pages. The Library assumes no responsibility for any direct or indirect claims, damages or costs, howsoever caused, sought by users or third parties arising from its provision of access to internet services.

The Library's users are subject to federal, provincial and municipal legislation regulating internet use, including the provisions of the *Criminal Code* regarding obscenity, child pornography, sedition and the incitement of hate. Use of the Library's internet services for a purpose or action that is, or the Library reasonably believes to be, contrary to the law or any of the Library's Rules of Conduct or policies is prohibited.

Certain copying or distribution of material found on the internet may infringe copyright or other intellectual property rights. The Library is not responsible for such infringements.

Users should also bear in mind that they are accessing the internet in a public space and should be considerate of those around them when accessing sites that may reasonably be considered offensive to others. All users of the Library, including users of the Library's internet services, are also expected to follow the Library's Rules of Conduct which are designed to ensure a welcoming and supportive environment, free from discrimination and harassment. Disruptive, threatening, or otherwise intrusive behaviour is not allowed and Library staff are authorized to take action. Violations of this Policy and/or the Rules of Conduct may result in suspension of library privileges and exclusion from the Library, as well as prosecution.

Accountability

The City Librarian and Directors are responsible for ensuring the policy is implemented and enforced.

Enquiries

All enquiries about this policy will be directed to the Director, Branch Operations and Customer Experience.



Public Computing and Internet Use Policy

Gillian Byrne

Sara Tavakolian

Toronto Public Library Board Meeting

June 19, 2023

Public Computing and Internet Use Policy

Policy Development

**Environmental
Scan**

Draft Policy

Legal Review

**TPL Board
Approval**

Public Computing and Internet Use Policy

Policy Goals:

- Replace the existing Public Internet Use Policy
- Develop a comprehensive policy that incorporates existing Public Internet Use Policy and covers all aspects of public computing at TPL
- Provide clarity for customers around the conditions of using public computers at TPL and support staff in explaining the conditions/terms of use
- Reduce the Library's exposure to risk

Public Computing and Internet Use Policy

Policy Scope:

- Public computing hardware, software & applications on TPL computers and borrowable laptops
- All internet services
- Printing and scanning services & customer-provided devices such as external flash drives and/or storage devices

Public Computing and Internet Use Policy

Policy Highlights:

- Ties in TPL's new Intellectual Freedom & Equity Statements
- Addresses identified policy gaps, particularly in areas such as terms of use and liability
- Outlines the parameters around staff assistance and the disclosure of customer's private information
- Includes a Customer Feedback process to address customer complaints and concerns

Public Computing and Internet Use Policy

Recommendation:

- The Toronto Public Library Board approves the adoption of the new Public Computing and Internet Use Policy to replace the current Public Internet Use Policy

Public Computing and Internet Use Policy

Questions?