(B)

To: Mayor and Town Council
            Town of Chapel Hill

                                                        B) Schreiner

From: Chapel Hill Public Library Board of Trustees
            Evelyn Daniel   Jessica Kem, Secretary
            Bill Holton, Vice Chair   Brandon Rector
            Leslie A. Johns   Bob Schreiner, Chair
            Paul Jones   Margaret Siefert
            Virginia Young
            Amanda Harper, Liaison, High Schools
            JoAnn Kerrick, Liaison, Friends of the Library

Subject: The Library Board's consideration of CHPL Internet Policy

Date: June 7, 2004
_____

At its May 17, 2004 meeting, the Library Board of Trustees passed this resolution:

> After considering an alternate Library Internet Policy with technology protection
> measures, the Board recommends retention of the present policy.

Seven of the then current eight members were present (absent was Bill Holton). The vote to affirm the policy was 7-0.

This memo provides some additional information about the process leading to this resolution.

The Board's recommendation with respect to Internet access has been to provide access without use of software content filters: "The Library does not select or edit Internet content" (from the current Library Internet Policy). Use of PCs and Internet is monitored visually by the placement of the computers near the reference desk, where the screens are easily viewed by Library staff. The policy further states that "When a patron uses Internet stations in violation of Town policy and applicable laws, staff has the authority to end an Internet session or to suspend Internet or other library privileges."

For many months, the Board has been aware that beginning July 1, 2004 the federal Children's Internet Protection Act (CIPA) requires mandatory software content filters for children under 17 years of age in order to qualify for certain federal funds. With the Library staff, the Board has spent a significant amount of time studying CIPA and its implementation, the effectiveness of software filters, the cost for filters, the amount of federal funds jeopardized by non-compliance, and the encroachment of CIPA and filtering on free access to information.

After months of discussion, the Board generally concluded the following:

- Software filters are highly imperfect: Filters cannot reliably detect the illegal material that CIPA is meant to ensure is not seen by children under 17; filters do not ensure protection of children. Their shotgun approach also sometimes blocks access to legal, not offensive, information.
- Filters and CIPA do encroach on the important library (and American) ideal of free access to information.
- Monetary issues should not determine the Library's Internet Policy.

In spite of these conclusions, the Board wished to support the Library staff in its decision to comply with CIPA and implement "light filtering." Much of the Board's meeting of April 19, 2004 concerned filtering, and the discussion culminated in a vote. The Board voted "to support the Library staff's decision to

implement a 'light' filtering program with a minimal level of filtering for children and a no-filter default option for adults and to revisit the decision after monitoring incidents for a year." The "light filtering" would include a mechanism to override the filter when it was found to block legal material.

Because the performance of filtering systems has been erratic and because vendors of such systems refuse to divulge the formulas used to filter websites, the Board thought it prudent to monitor the situation closely for a year and to revisit the decision after that time.

That passed by a margin of 6-2, with Johns and Jones voting no.

The Board then grappled with recommending a reformulation of the Library's Internet Policy to reflect this resolution. A subcommittee of Daniel, Kem, and Schreiner and Library Director Thompson met, in person and via email, and prepared a revised Internet policy.

The draft was shared and discussed with a larger group of the Board during the Board's visit to Greensboro and High Point public libraries on April 30. The Board learned from the director of the very impressive Greensboro Public Library that that library does not employ software filtering, and does not intend to do so, regardless of CIPA. Their experience, the director reported, was that the no filtering policy had led to neither patron abuse nor parental complaint.

The Board held a special meeting on May 12 to consider its revised Internet Policy draft (Holton and Young were not present). Discussion first centered on the wording of the section associated with filtering for children, but the discussion turned to a reconsideration of the Board's earlier motion to support filtering. The reasons for this included the influence of what we learned at Greensboro, an affirmation of the minimal financial impact of sacrificing federal funding for 2004-05, and the Board's general discomfort with its earlier vote that seemed to disavow an important library principle for a measure that would protect no children and threatened to prevent them from access to valuable and legal information.

At the May 12 meeting, the Board voted to retain the present Internet Policy, 6-0. The decision was affirmed by a second vote at the Board's regular meeting of May 17, 2004, 7-0 (Holton was absent). The Board understands that this negates its motion of April 19 in support of the staff decision to implement "light filtering."

The Board has asked the Library Director to regularly collect patron comments expressing concern about what is accessed on the Internet PCs, along with reports of incidents of abuse and any other such information for the Board to review. The Board will re-visit the matter of Internet policy in no more than one year.

c: Kathleen Thompson, Director, Chapel Hill Public Library