
Management of Internet Service in Public
Libraries : Needs Assessment Study

Submitted by:
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NEEDS ASSESSMENT STUDY

Purpose: To identify the tools and resources that will be most effective in assisting library boards and staff in the provision of public access to the Internet in a safe and welcoming environment that is consistent with community requirements AND the principles of intellectual freedom and universal access that are the foundations of the Canadian public library community and the Canadian Library Association.

Background

CLA is the national English language library association, representing the concerns of the 57,000 individuals who work in the field of library and information services in Canada. The Canadian Library Association was founded in Hamilton, Ontario in 1946, and was incorporated under the Companies Act on November 26, 1947. It is a registered charity, governed by an elected Executive Council, which is advised by over thirty interest groups and committees.

Among the Association's five constituent divisions are:

The Canadian Association of Public Libraries (CAPL), including the Canadian Association of Children's Librarians (CACL) section and, The Canadian Library Trustees' Association

These two national associations represent the interests of the staff and boards of Canada's 3400 public libraries. For Canadians, the public library is the most frequently used of all government-supported cultural institutions. In a recent survey of Canadian experiences and attitudes with respect to the level of service provided by public and private institutions, Canadians ranked the services of their local public library as second only to that provided by the local fire department. (<http://www.ccmd-ccg.gc.ca/pdfs/cit-first.pdf>)

Over the past several years, Canadian public libraries have readily accepted the responsibilities inherent in providing public access to the Internet to their patrons, and have increased their capacity to do so through participation in initiatives such as Industry Canada's Community Access Program (CAP). The provision of Internet services in public libraries provides librarians with unprecedented tools

to satisfy the information needs of library users. The Internet connects users with ideas and information on a global scale, and connects users with other users in the pursuit of knowledge, shared experiences and in the simple desire to communicate. It also supplements the recreational resources that libraries have traditionally provided.

Public libraries have embraced this medium as a way of enhancing traditional collections and services, and have made a commitment to ensuring that all members of their communities have equal access to this worldwide resource.

As a component of the public library collection, the Internet differs from other materials in that its contents do not pass through the rigorous selection processes that have been used to build traditional collections. In Canada, public reaction to Internet content now available in public libraries has been mixed. Many public libraries have faced strong criticism for allowing the public, especially children, to access materials that are illegal or which some consider to be offensive or dangerous. Moreover, adults in the vicinity of terminals may be exposed inadvertently to displays they find deeply offensive. Users of all ages may well be exposed to illegal material, inadvertently or not. These factors represent significant challenges to Canadian public libraries in the development of new policies, the creation of public education programs for parents and children, and the effective communication of the scope of library service at a local level.

To assist libraries in meeting the challenges outlined above, at its November 1999 meeting, the Executive Council of the Canadian Library Association appointed a Task Force on Internet Service in Public Libraries to “develop strategies and communications plans that will allow CLA to play a public leadership role, within the Association’s agreed principles, on the issues related to the provision of Internet services in public libraries”.

Scope of the Project

The Task Force has determined that the issues surrounding the provision of Internet services in public libraries warrant the development of a series of tools to assist members in taking an active leadership role in raising community awareness of Internet service. The tools must also defend the principles of intellectual freedom and universal access that are the foundations of the Canadian public library community and the Canadian Library Association. As a first step in this activity, the Task Force has undertaken a needs assessment study that includes:

- Research of key legal and policy issues,
- Identification of existing resources and policies
- Identification of libraries' requirements for new resources and training programs

Findings Related to Legal Issues

Research carried out through consultation with library staff, board members and community groups, as well as through study of existing legal opinions commissioned by public libraries, has identified the following legal issues related to the provision of public internet access that require consideration with respect to the formulation of policies and user guidelines in a library setting.

1. Authority to regulate Internet Usage
2. Liability under the Criminal Code
 - (a) Obscenity
 - (b) Pornography
 - (c) Hate Speech
 - (d) Sedition
 - (e) Likelihood of Prosecution
3. Patron privileges under the Charter of Rights and Freedoms
4. Compliance with local by-laws regulating adult entertainment
5. Minimizing the risk of illegality and due diligence practices

Existing legal resources:

A number of libraries have commissioned legal opinions on their policies and practices related to the administration of Internet access for patrons. The Burlington Public Library, in partnership with the Ontario Library Association (OLA), has prepared a report on the legal opinion that it obtained from the firm Morris/Rose/Ledgett, Barristers and Solicitors, which is available for purchase from the OLA at the nominal fee of \$20.00.

The Vancouver Public Library also sought legal advice with respect to the library's legal position in relation to obscenity and hate literature on its Internet terminals, which it makes available on the library web site (<http://www.vpl.vancouver.bc.ca/general/policy.html#Internet>)

The British Columbia Library Association summarized the legal issues in brief in a fact sheet entitled *Libraries and Filtering the Internet: the Canadian Scene* prepared by the British Columbia Library Association Information Policy Committee in 1999.

A summary entitled *Legal Issues Resulting from Internet Use in Public Libraries* was prepared for the Canadian Library Association by Ronald Kanter, a regulatory lawyer with the Toronto firm McDonald and Hayden. The summary was printed and distributed to CLA members in its membership publication *Feliciter*, Issue No.1, 2000. It will be posted to the CLA web site (<http://www.cla.ca>) in the month of April 2000.

Financial support to libraries facing intellectual freedom challenges is provided for in the terms of reference of the Intellectual Freedom fund administered by the Canadian Library Association.

Assessment of Need for Additional Legal Resources:

Library boards and staff require a basic understanding of the legal issues surrounding the provision of Internet access to the public to assist them in setting and administering library policies on this service.

Challenges from the community with regard to library policies and practices may require that libraries retain a lawyer to advise on the specific issue, particularly as it relates to local by-laws.

Policy, Guidelines and Content Issues

The rapid growth of Internet use by public library patrons has been accompanied by the adoption of library policies and procedures that define acceptable use by patrons, define rights and responsibilities and establish library authority to control and monitor access to content. This same rapid growth has also created new demands for libraries to address public concern with respect to the exposure of library patrons of all ages, but of children in particular, to inappropriate materials on public access stations.

To inform their own communities of users as well as to assist colleagues in developing and refining their own policies, many libraries have made their Internet access policies available on their web sites. Basic elements of most policies include:

- Statements of supporting principles, such as references to the library's mission statement; the Canadian Charter of Rights and Freedoms; and the Canadian Library Association's Intellectual Freedom Statement.
- Usage guidelines, that may include such elements as: definition of parents' responsibilities with respect to children's use; clarification of content issues, such as verification of validity/integrity of information; identification of training resources available; filter use if applicable; security warnings with respect to the public nature of information transmitted over the Internet; tips on safe and appropriate use of Internet resources.
- Usage restrictions, that may include:
 - the library's right to restrict privileges on evidence of misuse or inappropriate behaviour;
 - warnings regarding illegal or unethical use of the Internet, unauthorized copying of material protected copyright or digital property laws, invasion of privacy or damage to equipment.

Usage restrictions may also set time limits and restrict access to services such as e-mail, printing, downloading, chat lines and use of personal software/disks if warranted by scheduling and administrative issues in a particular library.

Existing policies and guidelines:

As noted above, a growing number of policies and guidelines are available on individual library web sites. A comprehensive set of links to Canadian library web sites can be found on the National Library of Canada's web site (<http://www.nlc-bnc.ca>).

A checklist of online resources on *Managing the Net at the Public Library* developed by the Southern Ontario Library Services provides links to sites that offer guidelines for policy design as well as links to a number of individual policies published by Canadian and U.S. libraries (<http://www.library.on.ca/publicaccess.html>).

The Ontario Library Association *Internet Access Toolkit* (<http://www.hpl.hamilton.on.ca/olita/toolkit/>) is published by the OLITA division of OLA. It offers guidelines for Internet Access Statements, as well as links to examples and documentation.

The American Library Association recently released a *Libraries and the Internet Toolkit*, which, although American in context and reflective of the ALA position on filtering, provides many useful tips for managing and communicating about the Internet that do apply in the Canadian environment. ALA grants permission to libraries to reproduce the toolkit, which is downloadable in PDF format at <http://www.ala.org/internettoolkit/>. The kit also includes several pages of resources on a broad selection of Internet management and safety issues for library boards and staff, as well as recommended resources for parents and children.

The Media Awareness Network, in partnership with library organizations, has developed a set of web awareness tools for library use, that include online workshops on safety, privacy, and authentication that can be adapted for purposes of both staff training and public education programming. Programming for a national web awareness campaign modelled after the Ontario pilot carried out in

1999 is being developed on a regional and sectoral basis in consultation with library partners across Canada. (<http://www.webawareness.org/>)

Industry Canada's LibraryNet web site offers a selection of web site design and management resources, as well as training information and statistics (<http://www.schoolnet.ca/ln-rb>).

Professor Leslie Shade of the University of Ottawa has identified a number of Canadian and U.S information resources in a recent research project entitled *An Investigation of Internet Content and On-line Safety Issues*. Shade has provided the Analytical Framework and Literature Review component of the study to CLA for incorporation into its upcoming resource guide.

The Canadian Library Association has created and distributed 250,000 copies of a parent's guide to Internet Safety entitled "*Have a Safe Trip*". The brochure is also available in a French language version, and is posted on the CLA web site for downloading by libraries who wish to personalize it for use as a public education tool for parents and children (<http://www.cla.ca/resources/safetrip.htm>).

CLA's Task Force on Internet Access has also prepared a position paper entitled *Internet Service in Public Libraries, A Matter of Trust*, which has been distributed to CLA members along with the revised version of the CLA Statement on Internet Access approved at the recent meeting of the CLA Executive Council. The paper and statement are intended to guide libraries in setting policy and access guidelines that consider appropriate use of filtered terminals for children in balance with full access elsewhere, in a manner consistent with traditional public library principles ensuring a range of choice. The paper is also intended to guide parents and guardians with respect to their responsibility to ensure children are equipped to make wise decisions about the information sources they access at the library. The paper will also be made available on the CLA web site.

Needs Assessment

Upon examination of the current legal and policy issues related to the provision of Internet access in public libraries and evaluation of available resources to assist libraries to manage this service, the Canadian Library Association Task Force on Internet Access in Public Libraries has identified specific needs within the library community for new resources and training tools that will support libraries in their role as key providers of the valuable information and recreational resources to be found on the Internet, and therefore also support Industry Canada in its goals related to Connecting Canadians.

CLA's research demonstrates that there is a broad base of resources, best practices and policy models available to libraries in Canada to assist in the management of public Internet Services, which is not currently accessible through a single access point. Communications tools that support effective public and media relations on Internet access issues have also been identified as an urgent need by libraries.

Recommendations

The following resources are recommended as appropriate and timely responses to the current needs identified by Canadian libraries:

1. A web-based clearinghouse of web access and content resources, hosted on the CLA web site and updated regularly as new resources appear;

2. Further development and delivery of training programs on Internet safety and other access issues for library staff and library patrons, to be developed in partnership with the Media Awareness Network;

3. A comprehensive Internet Access Toolkit for Canadian libraries in print and web versions. CLA proposes that it undertake to develop a Canadian toolkit model, that will be comprised of:

- Summary of legal issues
- CLA Statement on Internet Access
- CLA Intellectual Freedom Statement
- CLA Statement on Information and Telecommunications Access Principles
- Updated version of the "Have a Safe Trip " brochure

- Guide to Media /public relations on Internet Access issues: tips on how to manage a media interview; key messages; talking points; anticipated questions and appropriate answers
- Resource guide, and
- Models for community engagement and consultation.

Next Steps

CLA:

- will seek funding and support for Toolkit production from government, corporate and library association partners;
- will commence design and content development of Internet Access web site immediately, and
- will begin creation of Toolkit materials immediately with a view to a launch of the project at the CLA June 2000 Conference.