**Children Accessing Materials at the Library**

**Purpose:**

South Dakota Codified Law 22-24-56 mandates the Britton Public Library:

1. Equip each public access computer with software that will limit minors’ ability to gain access to obscene matter or material, as defined by state law, or purchase internet connectivity from an internet service provider that provides filter services to limit access to obscene material; and
2. Develop and implement a local policy that establishes measures to restrict minors from accessing obscene matter or materials. The policy must be published on the City of Britton’s official website or annually in the official newspaper.

**Definition:**

South Dakota Codified Law 22-24-27 provides the following definitions relevant to this policy:

1. “Obscene material” is material, the dominant theme of which, taken as a whole, appeals to the prurient interest; is patently offensive because it affronts contemporary community standards relating to the description or representation of sado-masochistic abuse or sexual conduct; and lacks serious literary, artistic, political, or scientific value. The statute also provides the following definitions for phrases used in defining obscene material:
2. “Prurient interest” is a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters. If it appears from the character of the material or the circumstances of its dissemination that the subject matter is designed for a specially susceptible audience or clearly defined deviant sexual group, the appeal of the subject matter shall be judged with reference to such audience or group;
3. “Sado-masochistic abuse” is flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one who is nude or so clothed;
4. “Sexual conduct” is any act of masturbation, homosexuality, sexual intercourse, or physical contact with a person’s clothed or unclothed genitals, public area, buttocks, or if such person be a female, the breast.

**Policy:**

* In compliance with South Dakota law, the library does not collect obscene materials.
* Children under 18 may get a library card if a parent or responsible caregiver accepts responsibility for the child’s use of the card. There is no minimum age. A parent or responsible caregiver is required to complete and sign a registration form to obtain a library card for a minor they are responsible for.
* Children under the age of ten (10) must be accompanied by a parent or by a responsible caregiver aged fourteen (14).
* Library staff are not responsible for the supervision of children in the library. Parents or adult caregivers must assume responsibility for their children’s access to and use of library resources. Parents and adult caregivers are expected to monitor and supervise children’s use of the library’s resources, including the Internet, in selecting material that is consistent with personal and family values. Parents are cautioned that the library and its available resources may contain materials that some find controversial.
* In compliance with the federal Children’s Internet Protection Act, the library utilizes a browsing software designed to block access on public computers accessed by minors to images deemed (a) obscene; (b) Child pornography; or (c) harmful to minors.
* The Britton Public Library does not independently monitor and has no control over the information published by third parties that is accessed through the Internet and cannot be held responsible for any such content accessed on the Internet.
* Britton Public Library supports the right of all members of the community to have free and equal access to the entire range of library resources, regardless of content, approach, format, or amount of detail. Britton Public Library upholds and affirms the right of each individual to have access to constitutionally protected materials and also affirms the right and responsibility of parents to determine and monitor their children’s use of library materials and resources.
* The Britton Public Library will have each parent complete the “Age-Appropriate Selection” form for each child living in their household.
* The Britton Public Library takes every precaution to not have adult themed materials in any section of the library other than the adult section.

It is the belief of the Britton Public Library that libraries must meet the diverse needs of everyone in the community, including children and teens. Children mature at different rates. They have different backgrounds and interests, and they have different reading levels and abilities. Parents/guardians (referred to as Caregiver going forward) are **responsible for deciding** what library items are appropriate for their children.

The Britton Public Library encourages Caregivers to help their children choose items that match their own family’s values. Like adults, children and teenagers have the right to seek and receive the information that they choose. It is the **right and responsibility of Caregivers** to guide their own family’s library use, while allowing other Caregivers to do the same. Caregivers should discuss rules regarding library use with their children. If the Caregiver is concerned that their child will not respect the Caregiver’s wishes, it is the Caregiver’s responsibility to notify the Britton Public Library of their concerns.