

Handout for

# Intellectual Freedom and Internet Filters: Can We Have Both?

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## Essential questions

Do we have to have filters in schools?

p. 2

Do filters work?

p. 3

Can we provide intellectual freedom and still have filters?

p. 4

What else should we be doing to ensure appropriate behaviors by children on the Internet?

p. 6

Current information resources on filtering

p. 8

### Intellectual Freedom and Filters: Can We Have Both?

CIPA legislation has made the use of filters in schools nearly mandatory. How does a school effectively use a filtering program, how do you determine if your filter is working properly, and how do you set policies on what should or should not be filtered? This presentation examines how filters work, if they are effective, how to prevent over-blocking, and additional efforts districts must undertake to make sure students are working safely on the Internet.



## Do we have to have filters in schools?

The short answer is “yes” if you want to federal revenues such as e-rate.

The Childhood Internet Protection Act reads:

To be eligible to receive universal service assistance under subsection (h)(1)(B), an elementary or secondary school (or the school board or other authority with responsibility for administration of that school) shall certify to the Commission that it has— (A) selected a technology for computers with Internet access to filter or block material deemed to be harmful to minors; and (B) installed, or will install, and uses or will use, as soon as it obtains computers with Internet access, a technology to filter or block such material. <thomas.loc.gov/cgi-bin/query/z?c106:S.97.IS:>

CIPA defines “technology protection measures” as a specific technology that blocks or filters Internet access to visual images that are

- Obscene.
- Child pornography.
- Harmful to minors.

Like many school districts, ours was coerced into installing an Internet filter during the 2001 school year. We did this to comply with the Children’s Internet Protection Act (CIPA) guidelines, and so remain eligible for eRate funds in our district.

So now after many years of vociferously and publicly advocating for filter-free Internet access for students, after convincing our school board and technology committee of the wisdom of unfiltered access, and after doing a darned fine job of teaching teachers and librarians why and how to supervise kids using the Internet, we ourselves are filtered.

When we decided to use a filter, I was pretty darned certain the ACLU and ALA would be sending a truck around to pick up my membership cards and possibly inflict on me great bodily harm. I was pretty darned certain that students would rise in revolt after having Internet search after search unreasonably blocked. I was pretty darned certain that the light of education would glow less brightly as a result of the filter’s installation.

I must admit that my pragmatic side had its secret, shameful doubts about the wisdom of *not* having a filtering device installed in our district. Technology has indeed opened floodgates of information into schools by way of the Internet. And along with marvelous resources on topics of curricular and personal interest, the flotsam and sewage of the Internet had become readily available within our walls as well. Materials and ideas that had been in the past physically inaccessible to students now could be viewed, both purposely and accidentally, at the click of a mouse button.

The potential of student access to unsavory and possibly unsafe materials on the Internet makes support of intellectual freedom extremely challenging. It is difficult to justify a resource that allows the accidental viewing of graphic sexual acts by second-graders searching for information on “beavers,” communication by an anorexic teen with supportive fellow anorexics, or access by seventh graders to “Build Your Own Computer Virus” websites. Defending unfiltered Internet access seemed quite different from defending *The Catcher in Rye*.

**Notes:**

## Do filters work?

### The short answer is “no.”

Filters:

1. Under block, allowing inappropriate sites through.
2. Over block, preventing access to appropriate sites.
3. Can be deliberately designed to block sites deemed not politically acceptable (including anti-filter sites).
4. Do not filter P2P networks, chat, or images.
5. Are relatively easy to disable or work around.
6. Give teachers, librarians, administrators, parents, and legislators a false sense of security.

An Electronic Freedom Foundation study in 2003 examined nearly a million web pages. The researchers found the following:

- For every web page blocked as advertised, blocking software blocks one or more web pages inappropriately, either because the web pages are miscategorized or because the web pages, while correctly categorized, do not merit blocking. In the case of block codes related to or suggested by the manufacturer for CIPA compliance, the blocking software miscategorized 78% - 85% of the distributed sample.
- Schools that implement Internet blocking software even with the least restrictive settings will block at a minimum tens of thousands of web pages inappropriately, either because the web pages are miscategorized or because the web pages, while correctly categorized, do not merit blocking.
- Blocking software products miscategorized many of the web pages they block - assigning the wrong block codes to between a third and a half of the web pages related to state-mandated curriculums blocked depending on the blocking software.
- Of all pages related to state-mandated curriculums blocked by blocking products, the products blocked only 1-3% of those web pages to CIPA's criteria for blocking visual depictions of illegal obscenity, child pornography, or harmful to minors content. That means that of the web pages related to state-mandated curriculums, blocking software products blocked 97-99% of the web pages blocked using non-standard, discretionary, and potentially illegal criteria beyond what is required by CIPA.
- Although curriculum topic categories more often blocked by N2H2's Bess product in an East Coast high school include such topics as the Klan (36% of web pages related to this curriculum topic blocked), firearms (50%), drunk driving, slavery, genocide, and perjury (33%), they also contain topics such as pogo-stick (46%), comedy (42%), personal care (32%), likes and dislikes (32%), and write or dictate short poems (32%).
- Schools that implement Internet blocking software with the least restrictive commonly-used settings will block between 0.5% and 5% of search results based on state mandated curriculum topics.
- Schools that implement Internet blocking software with the most restrictive settings block 70% or more of search results based on state-mandated curriculum topics.
- Internet blocking software was not able to detect and protect students from access to many of the apparently pornographic sites that appeared in search results related to state-mandated curriculums.
- Internet blocking software companies cannot possibly complete human review of a substantial portion of the web pages on the Internet.

A research study conducted by the Department of Family Medicine at the University of Michigan Medical School and published in the Journal of the American Medical Association in 2002 looked at how well 6 commercial and one private Internet filter blocked health information for teens at settings including least restrictive, moderately restrictive and very restrictive. They found that at the least restrictive setting only 1.4% of the health information sites were blocked and 87% of the pornography sites were blocked. At this setting, however, 10% of the health sites related to sexuality were also blocked. At the moderate setting, 5% of the health information sites were blocked and 90% of the pornography sites were blocked. At the most restrictive setting, a setting commonly chosen, 24% of the health information sites were blocked with only 91% of the pornography sites blocked. (This still means nearly 10% were allowed through.)

#### How kids get around a filters (according to Patrick Crispen <http://netsquirrel.com> with permission)

- Disable stand-alone software through control-alt-del
- Use specialized software such as Peacefire's Circumventor
- Change their browser's proxy to an unfiltered site
- Use an anonymizer like Akamai
- Use AltaVista Babblefish to translate a porn site into English
- Log into the filtering server using the default administrator's password

I worry that while preventing access to pornographic or unsafe materials is the reason given by those who advocate restricted access to the Internet in schools, the real motivation is political: keeping impressionable minds away from particular points of view. That is censorship at its most malignant. Even though CIPA has taken the decision to use or not use Internet filters out of the hands of local decision makers, a strong commitment to intellectual freedom on the part of the school library media specialists, technologists, and administrators is not only possible, but even *more* important in a filtered environment.

#### Notes:

## Can we provide intellectual freedom and still have filters?

### The short answer is “if we are deliberate about it.”

The concept of intellectual freedom as expressed in both ALA’s “Library Bill of Rights” <[www.ala.org/work/freedom/lbr.html](http://www.ala.org/work/freedom/lbr.html)> and “Freedom to Read” <[www.ala.org/alaorg/oif/freeread.html](http://www.ala.org/alaorg/oif/freeread.html)> statements is as relevant to information in electronic formats as it is in print: *We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they need the help of censors to assist them in this task.*”

The sky did not fall in when we installed our filter in the Mankato Area Public Schools. The complaints about over-blocking from teachers and students since 2001 have numbered less than a dozen. Why?

A study conducted in 2002 by the Electronic Freedom Foundation on Internet filtering devices reveals some interesting numbers:

- Schools that implement Internet blocking software with the least restrictive settings will block between 1/2% and 5% of search results based on state-mandated curriculum topics.
- Schools that implement Internet blocking software with the most restrictive settings will block up to 70% of search results based on state-mandated curriculum topics.

Internet filters obviously have a wide range of restrictiveness. Depending on the product, the product’s settings, and the ability to override the filter to permit access to individual sites, filters can either block a high percentage of the Internet resources (specific websites, email, chat rooms, etc.) or a relatively small number of sites.

In our role as proponents of intellectual freedom, we need to:

- Base our choice of filters not on cost or convenience, but on features and customizability.
- Strongly advocate for the least restrictive settings of installed filters.
- Generously use the override lists in our Internet filters.
- Treat requests to have additional sites blocked as you would any other material challenge in your district. (Look at your reconsideration policy.)
- Configure at least one machine that is completely unblocked in each library media center so that questionably blocked sites can be reviewed and immediately accessed by staff and students if found to be useful.
- Continue to help develop and teach the values students need to be self-regulating Internet users.
- Continue to educate and inform parents and the public about school Internet uses and issues.
- Continue to create learning environments that promote the use of the Internet for positive purposes.

I have to admit that even after crusading for filter-free Internet access for my school district and then being forced by CIPA to install a filter, the sun still rises. And in some sense, I believe our schools may even be a bit *more* ethically responsible for using a limited filtering system that keeps the little ones from accidentally accessing inappropriate or even dangerous websites. When chosen, configured and monitored carefully our filter becomes a selection, rather than censorship tool.

But I am watching it *very* closely.

### Notes:

#### **Who decides what is filtered and what is not? a partial solution.**

On the difficult filtering issue, our district media/technology committee decided that as a result of CIPA, we would install a filter, but it would be set at its least restrictive setting. *Any teacher or librarian can have a site be unblocked by simply requesting it – no questions asked.* Adults are required to continue to monitor student access to the Internet as if no filter were present. The technicians now know that it is the responsibility of the teaching staff to see that students do not access inappropriate materials, not theirs.

By making your IT department solely responsible for student’s access to inappropriate sites, you are guaranteed:

- over blocking of appropriate sites
- dangerous over-reliance on filters

## An experiment in evaluating a filter

I took some time over the school's winter break in December of 2002 (I'm guessing 15-18 hours) to do a quick breakdown of the report from our district filtering system (Webb blocker/Cyberpatrol set to block only full nudity and sexual acts within our WatchGuard firewall). The study is of blocked sites from 6 am to 6 pm on Dec 19, 2002 - a regular school day.

A total of **617,000 requests were made** from our district of 6800 students and 800 staff members using about 2500 networked computers on Dec 19th. Of these, **592 requests were blocked**. (.1%) By eliminating duplicate requests (same URL within a 5 minute spread of time from the same IP address), the unique instances of blocking was reduced to 262. I checked each blocked URL by copying it from the log into my Explorer browser (also checking the root IP address if the specific page was blocked), then categorizing what I found as follows:

SEX = Strong sexual content. 100 attempts blocked. Of these 72 came from a single machine within a 2.5 hour time period - we believe this was the result of the CODE RED virus.

T = Tasteless. 9 attempts blocked

NOC\* = No offensive content. 78 attempts blocked

PNF = Page or server not found. 72 attempts blocked

STU=Site temporarily unavailable 3 attempts blocked

\*NOC details - 14 AOL blocks, 11 banner ads, 6 commercial music sites, 3 Italian pages, 12 search engine sites, 1 medical (questionable - female ejaculation, non-prurient, personal site), 3 plugin download sites, 3 webhosting sites, 3 gambling, 22 misc

Since we use DHCP to assign IP numbers to computers throughout the district, we cannot precisely tell where each of these requests originated. But due to our VPN IP assignment scheme, I can tell:

107 requests came from a technician's machine (the one with the virus), 3 requests (no sexual ones) came from staff computers, 155 requests came from lab/student machines, and 1 came from a machine with a static IP at a high school of unknown whereabouts.

By building type:

Elementary buildings 26

High school 44

Middle school 10

Combined HS/JH 61

Area alternative high school/community ed/early childhood building 121 (107 virus related)

### Questions for me that still remain:

1. Why are so many URLs blocked that return File Not Found errors when searched for with a browser?
2. How can I determine "leakage" of the filter - if users are getting to inappropriate sites that the filter does not catch? Why after 18 months of having a filter are users still trying to get to sites with "sexual acts" if they do not think they have at least some hope of success?
3. How does one determine "intentionality" of attempts to get to sites that are inappropriate? How many of these requests were to porn-napped sites? How many made by kids in error? I have no way of knowing if users were purposely looking for sites that are not permitted in our AUP (with the exception of a couple instances where a single machine made multiple requests over a short period of time for such material.)
4. How successful was I in convincing my wife that I was doing "official school business" after seeing a few of the images on my computer screen?

### Conclusions:

1. At least in this "snapshot," it does **not appear that our filter is grossly overblocking sites**. At a blocking rate of less than .1% and with only 78 requests for non-offensive pages denied, I see this as tolerable.
2. To the extent that I am able to determine, the **filter is blocking many inappropriate sites**. Most of what I checked, I believe, even the most ardent civil libertarian would agree does not belong in schools. Heck, I had to wash MY eyes out with soap after viewing some of this stuff. Ick. I would say that about half the blocked requests for sex sites were for "doorway" pages - a non-explicit page with a strict warning not to enter if under 18.
3. This is a very time consuming process, most of it checking and categorizing the blocked URLs. I am not sure how this could be simplified without putting a good deal of control into the hands of the filtering manufacturers.

### Notes:

## What else should we be doing to ensure appropriate behaviors by children on the Internet?

Adapted from *Teaching Right From Wrong in the Digital Age: An Ethics Guide for Parents, Teachers, Librarians, and Others Who Care About Computer-Using Young People*, Linworth Publishing, 2003.

### The short answer, "A lot!"

*"Mrs. Hanson, please come here," fourth grader Jennifer called out in a wavering voice from behind her computer screen. "I think I'm somewhere I shouldn't be!" The librarian walked over to Jennifer and glanced at her computer screen. While searching for information about shoes, Jennifer had clicked to a page with pictures of models wearing nothing **but** shoes.*

*How Mrs. Hanson handles this situation will have a big impact on whether Jennifer gains the skills to keep from accessing other inappropriate sites, how she uses on-line resources wisely in the future, and even how she views her school and teachers. What's the best way for a librarian to respond?*

Schools in which students consistently practice safe and ethical behaviors don't just happen. The relative newness of the Internet itself and almost daily new resources on it lead to uncertainty about its use by both students and teachers. Just having an Acceptable Use Policy, an Internet filter and a set of restrictions as long as one's arm, does not insure students will use the Internet well.

*Business Ethics* magazine suggests that businesses take a proactive approach to ethical issues. That advice is also good for schools and libraries. As librarians, we must:

1. *Articulate personal values.* Talk to your students about what you believe to be ethical conduct online. Set clear limits about what is allowed and what is not allowed. Be knowledgeable about your school's Acceptable Use Policy. Make sure your labs, libraries and display lists and have available handouts of conduct codes.
2. *Build student trust.* In the example above, I hope that Ms. Hanson gave Jennifer the benefit of the doubt that accessing the page was accidental and used the incident to teach some strategies about using clues in search result findings to discriminate between relevant and non-relevant sites. Using humor and understanding will go far in helping lessen student anxiety. All educators should make it a goal to build the willingness of their students to discuss ethical dilemmas with them.
3. *Allow students personal use the Internet.* If the Internet computers are not being used for curricular purposes, you should allow students to research topics of personal interest (that are not dangerous or pornographic, of course), send email to friends, etc. The best reason for allowing this is that students are far less likely to risk loss of Internet privileges if that means losing access to things that they enjoy.
4. *Reinforce ethical behaviors and react to non-ethical behaviors.* Technology use behaviors should be treated no differently than other behaviors - good or bad - and the consequences of such behaviors should be the same. It is important not to overreact to incidents of technological misuse. If a student was caught reading *Playboy* would you take away all his or her reading privileges?
5. *Model ethical behaviors.* All of us learn more from what others do than what they say. The ethical conduct we expect from our students, we ourselves must display. Verbalization of how we personally make decisions is a very powerful teaching tool. It's useless to lecture about intellectual property when we as adults use pirated software!
6. *Create environments that help students avoid temptations.* Computer screens that are easily monitored (no pun intended), passwords not written down or left easily found, and getting into the habit of logging out of secure network systems all help remove the opportunities for technology misuse. Our simple presence is a far more effective means of assuring good behavior than any filtering software.
7. *Encourage discussion of ethical issues.* "Cases," whether from news sources or from actual events from your students' experiences, can provide superb discussion starters and should be used when young people are actually learning computer skills. Children need practice in creating meaningful analogies between the virtual world and the physical world. How is reading other people's email without their permission like and unlike reading their physical mail?
8. *Design practice activities on making good ethical choices.* Direct teaching of ethics should be a part of your information literacy curriculum. The Allen (Texas) Independent School District has incorporated a program called "Chip and Friends" into its schools. The curriculum includes an hour-long videotape that uses puppets to teach little kids right and wrong online. Deborah Maehs, LMS, from Kingfisher Middle School, Kingfisher OK, offers a plagiarism-prevention plan in workshops for her staff that includes laying the foundation of technology ethics, examining the assignment's purpose, and teaching the writing process.
9. *Stress the consideration of principles rather than relying on a detailed set of rules.* Although sometimes more difficult to enforce in a consistent manner, a set of a few guidelines rather than lengthy set of specific rules is more beneficial to children in the long run. By applying guidelines rather than following rules, young learners engage in higher level thinking processes and internalize behaviors that will continue into their adult lives. Think how wonderfully the Golden Rule applies to so many situations. Children who have internalized such ethical concepts can make good choices whether in the classroom, on the playground, or at home.
10. *Help children understand that ethical behaviors are in their own long-term best interest.* Rules of society exist because they tend to make the world a safer, more secure, and more opportunity-filled place.

11. *Assess children's understanding of ethic concepts.* Technology use privileges should not be given until an individual has demonstrated that he or she knows and can apply ethical standards and school policies. Schools need to test appropriate use prior to students gaining online privileges such as email accounts or Internet access. Teachers or librarians should keep evidence of testing on file in case there is a question of whether there has been instruction on appropriate use.
12. *Educate parents about ethical technology use.* Through school newsletters, talks at parent organization meetings, and through school orientation programs, librarians can inform and enlist the aid of parents in teaching and enforcing good technology practices.
13. *Be personally knowledgeable about the ethical and safety issues surrounding Internet use.* Keep your eyes peeled for articles and stories in both professional journals and the news. New ethical situations regarding schools and technology seem to appear everyday. A current bibliography of books, periodical articles, and websites can be found at <[www.doug-johnson.com/ethics/](http://www.doug-johnson.com/ethics/)>.

Ethical instruction needs to be ongoing. A single lesson, a single incident, or a single curriculum strand will not suffice. We must integrate ethical instruction into every activity that uses technology. Good teaching is an ongoing process even, or perhaps especially, in the virtual world.

*"Well, Jennifer, you certainly found a site with shoes!" Mrs. Hanson said humorously, dispelling the student's tension. "I appreciate your sharing this problem with me. Now, let's back up to the results of your search and see if there may not have been some clues in the description of the site that may have indicated it wasn't the best one for your project. Ready?" Jennifer smiled and clicked on the back arrow of her browser.*

**Perception is everything. Reality is nothing!** (posting to wwvedu listserv /26/03, used with permission)

**Public Perception**

- 1) Filters work.
- 2) Schools that filter are keeping their children safe.
- 3) Filters do not have negative impact on education.

**Government Perception**

- 1) Filters don't work well, but it's what the public thinks and the lobbyists want that counts.
- 2) Schools that rely on filters are not keeping the kids safe, but that not their problem and they aren't even going to check up to see if safety plans are being implemented.
- 3) Filters do not have a negative impact on education.

**Reality (AKA My Perception)**

- 1) Filters are far more flawed than any study has yet shown.
  - a) Enlightened administration can negate many of the flaws.
  - b) Enlightened administration is as scarce as hen's teeth. (The big players have the worst filters, but they have the corner on the market. Small player with quality filters can't make a dent because schools go with the big players and look for easy fixes that meet public perception.)
- 2) Schools that rely on filters are not keeping the kids safe. With or without filters, children are not safe unless supervision, enforcement of AUPs, and education are a significant part of the solution.
- 3) Filters do have a negative impact on education and a significant cost related to implementation and lost classroom time.

The only way to change things is to change the *public's* perception of filters to more closely match the reality of the situation. With out that change, it doesn't matter one iota what the Supreme Court does, because the government is going to do what the public want on this issue.

Art Wolinsky, Technology Director - Online Internet Institute <<http://oii.org>>

**Notes:**

**Selected resources on the effectiveness of filters written in the past few years. (links active as of May 2008)**

**ALA's Web Site on the Children's Internet Protection Act (CIPA)**

<http://ala.org/CIPA>

**Does Pornography-Blocking Software Block Access to Health Information on the Internet.** JAMA, Dec 11, 2002. (No longer publically available)

**Filtering Software: Religious Connection**, Nancy Willard, M.S., J.D.; Director, Responsible Netizen Institute

<http://www.cyberbully.org/onlinedocs/documents/religious1.php>

**Internet Blocking in Schools**, Electronic Freedom Foundation, 2003.

[http://www.eff.org/Censorship/Censorware/net\\_block\\_report/](http://www.eff.org/Censorship/Censorware/net_block_report/)

**Just Give It to Me Straight: A Case Against Filtering the Internet.** T. Callister and N. Burbules. *Phi Delta Kappan*, May 2004.

**Library Filtering: Best Practices**, Infopeople Project 2002

[http://infopeople.org/resources/filtering/filters\\_best\\_practices.html](http://infopeople.org/resources/filtering/filters_best_practices.html)

**Report to Congress - Children's Internet Protection Act - Pub. L. 106-554 - Study of Technology Protection Measures in Section 1703.** National Telecommunications and Information Administration, US Dept of Commerce, August 2003.

[http://www.ntia.doc.gov/ntiahome/ntiageneral/cipa2003/CIPAreport\\_08142003.htm](http://www.ntia.doc.gov/ntiahome/ntiageneral/cipa2003/CIPAreport_08142003.htm)

**See No Evil: How Internet Filters Affect the Search for Online Health Information.** Kaiser Family Foundation, December 2002.

[http://www.kaisernetwork.org/health\\_cast/uploaded\\_files/Internet\\_Filtering\\_exec\\_summ.pdf](http://www.kaisernetwork.org/health_cast/uploaded_files/Internet_Filtering_exec_summ.pdf)

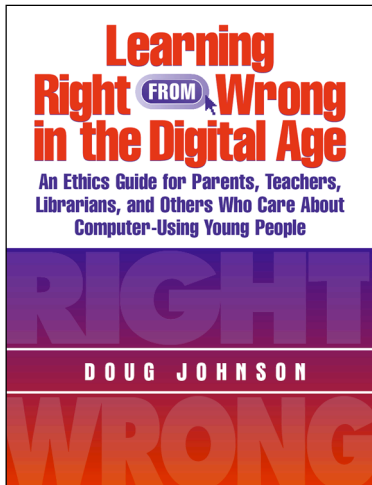
**Who Defines Evil? Statement Regarding the Kaiser Family Foundation Study on How Filtering Affects Access to Health Information.** Nancy Willard, M.S., J.D.; Director, Responsible Netizen Institute

<http://www.cyberbully.org/onlinedocs/pdf/whodefinesevil.pdf>

**Youth, Pornography and the Internet.** National Research Council, 2002.

<http://www.nap.edu/books/0309082749/html/>

**Other links can be found on my wiki: <https://dougjohnson.wikispaces.com/IFresources>**



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