

<b>Policy 5-9</b>	<b>Patron Privacy and Confidentiality</b>	<b>Created: 4/2/2015</b> <b>Revised: 12/4/2018</b> <b>Approved: 12/13/2018</b>
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**I. Purpose**

This policy explains patron privacy and confidentiality rights and responsibilities, the steps Jackson County Library District (Herein referred to as the “District” or “Library”) takes to respect and protect patron privacy when using library resources, and how the Library handles personally identifiable information collected from patrons. The Library has measures in place to protect patron privacy and confidentiality. In setting these policies, the Library tries to strike a balance between privacy and convenience.

**II. Introduction**

The Library takes steps to protect the privacy and confidentiality of all library patrons, no matter their age. This commitment to patron privacy and confidentiality has deep roots not only in the law but also in the ethics and practices of librarianship. In accordance with the American Library Association's Code of Ethics: "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted." The Library's privacy and confidentiality policies are in compliance with applicable federal, state, and local laws.

State law protects library records from disclosure if a member of the public or the media requests them. Library records include circulation records, the patron’s name together with his or her address or telephone number, and email address. Library records may be subject to disclosure to law enforcement officials under provisions of state law, the USA PATRIOT Act or in a civil lawsuit. Librarians may be forbidden from reporting to a patron that his or her records have been requested or obtained under provisions of the USA PATRIOT Act.

**III. Privacy and Confidentiality Policy**

The Library publicly posts privacy and information-gathering policies on its website. The Library avoids creating unnecessary records, avoids retaining records not needed for library business purposes, and does not engage in practices that might place personally identifiable information on public view without patron consent.

Information the library may gather and retain about Library patrons includes the following:

- a. Information required to register for a library card (e.g. name, address, telephone number, email address, birthdate)
- b. Records of material currently checked out, charges owed, and payments made
- c. Records of past checkouts if patron opted-in to retain reading / viewing history
- d. Records of electronic access information such as the library card or guest pass number used to log onto library public computers
- e. Requests for interlibrary loan or reference service

- f. Sign-up information for library classes, programs, or booking meeting room.

The library will keep personal information gathered confidential and will not sell, license or disclose it to any third party, except those working under contract to the library, or except as required by law. For information about the ways third parties may use or disclose patron information, see the Third Party Vendor Services section below.

The District may use security cameras to enhance the safety and security of library users, staff, and property, while protecting individuals' right to privacy. The security camera installation consists of dedicated cameras providing real-time surveillance through a video management system. The primary use of security cameras is to discourage inappropriate and illegal behavior and to enhance the opportunity to apprehend offenders.

The Library never uses or shares the personally identifiable information provided in ways unrelated to the ones described above without also providing the patrons an opportunity to prohibit such unrelated uses, unless the Library is required by law to do so.

#### **IV. Access to Accounts and Patron Responsibility**

- a. Protecting the Patron's Library Card

It is the patron's responsibility to notify the Library immediately if his or her card is lost or stolen or if he or she believes someone is using the card or card number without permission. The Library encourages patrons to protect any PIN or password associated with their card for their privacy and security.

- b. Keeping Account Information Up-To-Date

Library patrons may access their personally identifiable information held by the Library at any time and are responsible for keeping information accurate and up-to-date. Patrons should ask a staff member if they have questions about the process for accessing or updating their information.

- c. Parents and Children

The Library respects the privacy of all library patrons, regardless of age. Parents, guardians or caretakers of a child under age 18 who wish to obtain access to a child's library records, including the number or titles of materials checked out or overdue, must provide the child's library card or card number.

- d. Data Security

The Library takes reasonable steps to assure data security. The Library protects personally identifiable information by electronically purging or manually shredding it once it is no longer needed for library business purposes. The Library has invested in appropriate technology to protect the security of personally identifiable information while it is in the library's custody. The Library takes steps to remove personally identifiable information from aggregate, summary data. The Library also regularly

remove cookies, browsing history, cached files, or other computer and Internet use records that are placed on Library-owned computers or networks. Staff will not disclose any personally identifiable information to any other party except where required by law or to fulfill a service request.

Law enforcement officers who seek information which they believe may be helpful to the investigation of criminal activity, shall be asked to make a formal, written request for such information, and may, on the advice of District Counsel, be required to submit a subpoena or a court order for same. Any such request for information must be referred to the Library Director, who may confer with, and be guided by, District Counsel in determining how to respond to such a request.

#### **V. Third Party Vendor Services**

Third party services provided through the library have other terms and policies that affect the privacy of personally identifiable information. Patrons should understand that, when accessing remote or third party vendor sites, there are limits to the privacy protection the library can provide. Links to third party vendor privacy policies are available through the Library's website.

#### **VI. Other Services**

This privacy and confidentiality policy does not apply to external applications or websites that may be accessed by a patron from the library's public computers, devices or equipment (such as Internet computers, Chromebooks and iPads).

Some patrons may choose to take advantage of RSS feeds from the library catalog, public blogs, hold and overdue notices via e-mail or text message, and similar services that send personally identifiable information related to Library use via public communication networks. Patrons should also be aware that the Library has limited ability to protect the privacy of this information once it is outside its control.

#### **VII. Illegal Activity Prohibited and Not Protected**

Patrons may conduct only legal activity while using library resources and services. Nothing in this policy prevents the library from exercising its right to enforce its Rules of Conduct, protect its facilities, network and equipment from harm, or prevent the use of library facilities and equipment for illegal purposes. The Library can electronically log activity to monitor its public computers and external access to its network and reserves the right to review such logs when a violation of law or library policy is suspected. Staff is authorized to take immediate action to protect the security of library patrons, staff, facilities, computers and the network. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.

#### **VIII. Enforcement and Redress**

If a patron has a question, concern, or complaint about the Library's handling of personally identifiable information or this policy, the patron may file written comments with the Library



Director. The Director will respond in a timely manner and may conduct an investigation or review of practices and procedures. The Library conducts such reviews regularly to ensure compliance with the principles outlined in this policy.

The Library Director is custodian of library records and is authorized to receive or comply with public records requests or inquiries from law enforcement officers. The Director may delegate this authority to designated members of the library's management team. The Director confers with the Library Board before determining the proper response to any request for records. We will not make library records available to any agency of state, federal, or local government unless a subpoena, warrant, court order or other investigatory document is issued by a court of competent jurisdiction, showing good cause and in proper form. All library staff and volunteers have been trained to refer any law enforcement inquiries to the Library Director.