

## **1: PATRON PRIVACY POLICY**

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### **A. Overview**

1. York County Public Library is committed to protecting the privacy and confidentiality of our patrons at our library locations and on our website. Our policies conform to the Code of Ethics of the American Library Association, which states: "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."
2. York County Public Library does gather data about system and resource use for administrative purposes, however we do not track personal information unless patrons elect to provide that information, for example by submitting a question, requesting an item, registering for a service, etc.
3. The information collected by York County Public Library is limited to what we believe is necessary or useful to conduct library business. Personal information gathered such as name, address, phone number and email address are gathered for the purpose of identification and accountability for use of Library materials. Records of Library use (i.e. amount of or titles of materials checked out and returned or services used) are maintained only for the purpose of statistics.
4. York County Public Library will not release personal information gathered or collected by the Library except to the extent required by law.
5. Patron library records will be kept confidential and not be disclosed except when such records may be disclosed to the extent necessary for the proper operation the library or upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.
6. York County Public Library will not sell, lease or otherwise share any personal information to outside parties unless required by law.
7. York County Public Library considers circulation and registration records identifying the names, addresses, and telephone number of library patrons, as well as materials borrowed or accessed electronically, not to be part of the public record.
8. York County Public Library considers the intellectual pursuits of individuals using library or Internet resources confidential information regardless of the age of the borrower. Such records shall not be made available to any individual or agency except pursuant to such process, order, subpoena or warrant as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.
9. Upon receipt of such process, order, or subpoena, the Library Director will notify the Library Board, except when prohibited by the USA PATRIOT Act of 2001, and the County Attorney to determine if such process, order, or subpoena is in proper form and if there is evidence of good cause for its issuance. If the

process, order, or subpoena is not in proper form or if there appears to be sound legal reasons to challenge the process, order or subpoena, the Library Director will pursue such legal remedies as may be available to limit or rescind the process, order or subpoena. Although Library staff may have no legal recourse but to comply with a search warrant when presented, the Library director will consult with the County Attorney after any search warrant has been carried out to determine whether grounds exist for a subsequent challenge.

## **B. RELEVANT LAWS**

1. USA PATRIOT Act (Public Law 107-56): Although the Library makes every effort to protect your privacy through compliance with state law and through local practice, under the federal USA PATRIOT Act records of your library activities (including materials you borrow and your computer workstation usage) may be obtained by federal agents. That federal law prohibits Library staff from informing you or anyone else if federal agents have obtained records about you. Additional information is available from the American Library Association webpage "[The USA Patriot Act in the Library.](#)"
2. Confidentiality of Registration and Circulation Records: All registration and circulation records of the York County Public Library, except statistical reports of registration and circulation, are confidential. As used in this section, the term "registration records" includes any information that a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information that identifies the patrons who borrow particular books and other materials.
3. Except in accordance with a proper judicial order, a person may not make known in any manner any information contained in library patron records made confidential and exempt by this section, except as otherwise provided in this section.
4. The Library may, only for the purpose of collecting fines or recovering overdue books, documents, videos, audios or other items or materials owned or otherwise belonging to the library, disclose information made confidential and exempt by this section to the following:
5. The library patron named in the records. In the case of a library patron less than 17 years of age, the parent or guardian of that patron named in the records;
6. Any entity that collects fines on behalf of a library such as the County Attorney, unless the patron is less than 17 years of age, in which case only information identifying the patron's parent or guardian may be released;
7. Municipal or county law enforcement officials, unless the patron is 17 years of age, in which case only information identifying the patron's parent or guardian may be released; or Judicial officials.

**C. LEGAL PROTECTIONS & EXCEPTIONS:** Privacy of library registration and circulation records is important to both Library Staff and patrons. This information is used when you choose to request or borrow materials or services, or to authenticate eligibility for access to Library public access computers. Only authorized staff may

see personally identifiable information stored in the Library's files and computer systems.

Some of your personally identifiable information may not remain confidential if fines, charges, or fee transactions must be forwarded to the County Attorney for collection, or if the Library is processing your request for items or services from another library or provider.

The Library does not give, share, sell or transfer any personally identifiable information to third parties except with your specific consent, to conduct Library business, or *unless required to do so by law*. (See USA PATRIOT Act, above.)

- D. CUSTOMER INFORMATION COLLECTED:** When a patron chooses to provide personally identifiable information to us in order to conduct a library transaction, we collect only the minimum amount of personal information required to process your request. Elements of this information, with the personal links stripped out, may be used to develop internal statistical reports.

Examples of personally identifiable information which may be required to process a Library transaction include: Name, Mailing address, Telephone number, Birth date, Library card number, Email address (optional), Social Security Number (optional).

- E.** Login information for access to library computers is deleted from library records after one day. We keep non-personal information about logins and website visits for statistical analysis and other management purposes. Logs of site visits and of customer-created documents are automatically deleted every time a computer reboots, and the logs are also purged nightly.
- F.** If a patron supplies the Library with his/her email address, that patron may receive periodic mailings with information about new acquisitions, upcoming events, items about to fall due, or items being held. If the patron does not wish to receive such mailings, he/she must inform the Library.
- G.** Upon request and verification of identity, York County Public Library will provide patrons' access to their unique personal identification number (PIN) for access to public computers.
- H. LIBRARY WEBSITE:** The Library website is governed by this Privacy Policy and our Computer & Internet Use Policy. We collect non-personal information from visitors to the website for statistical analysis, site assessment, server performance, troubleshooting and other management purposes. There is no inherent link to personally identifiable information in computer communications, unless you have provided that information in the content of your transaction with us.

Examples of non-personal information collected include: Internet Protocol (IP) address (like an Internet "phone number") of your computer, type and version of browser and operating system your computer uses, domain name (.com, .net, .edu, etc.) of the Internet service provider or website from which you linked to our site, geographical location of the network used to link to us, and time and date of access.

- I. **EXTERNAL WEBSITE LINKS:** Our website contains links to external websites and licensed databases. The Library is not responsible for the privacy practices, security or content of these external sites. We recommend that you familiarize yourself with the privacy and security information for any site you visit.
- J. **SECURITY:** Since the Library uses standard systems and communication methods beyond its direct control, no guarantee can be made that transactions over the Internet or the local network, by mail or e-mail, by telephone or at a public service desk are secure and confidential. While care is exercised to protect its systems and servers from unauthorized access, the Library may be vulnerable to temporary breaches of security. You must choose the method you wish to communicate your requests and personally identifiable information to us.

We recommend that you take these additional precautions: log off systems after use; do not share user IDs or passwords; select passwords that are easy for you to remember, but difficult for others to guess.

**K. PUBLIC COMPUTER WORKSTATIONS**

1. York County Public Library keeps no permanent record of the Internet sites visited by library patrons, the electronic databases accessed, or the searches performed by individual patrons.
2. York County Public Library counts the number of viewers of different web pages within the sites it hosts, using standard web server log files. This information is collected in order to improve the content offered on those sites and may be used to compile statistical reports. These logs do not include names, phone numbers, addresses, email addresses or other identifying personal information.
3. York County Public Library collects no personal information about users of the Internet, electronic databases, or the online catalog, unless patrons choose to provide it. This information will be used only to enhance the patron's use of the library and the online card catalog. It will not be shared with third parties without the explicit permission of the patron. Library patrons should be aware that York County Public Library licenses commercial databases from a variety of vendors. While the Library will make every effort to restrict electronic database vendors from collecting and using identifying personal information of its library users, it provides no guarantee that personal information will not be shared with third parties.

*Adopted June 9, 2005*