

Confidentiality of Library Records Policy

Board of Trustees

I. Introduction

Privacy is essential to the exercise of free speech, free thought, and free association. In this library the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.

The courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution. Many states provide guarantees of privacy in their constitutions and statute law. Numerous decisions in case law have defined and extended rights to privacy. The Weber County Library System's privacy and confidentiality policies and procedures are in compliance with applicable federal, state, and local laws.

User rights – as well as our institution's responsibilities – outlined here are based in part on what are known in the United States as the five "Fair Information Practice Principles." These five principles outline the rights of Notice, Choice, Access, Security, and Enforcement.

The Weber County Library System's commitment to your privacy and confidentiality has deep roots not only in 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.”

II. The Weber County Library System's Commitment to Our Users Rights of Privacy and Confidentiality

This privacy policy explains our patrons' privacy and confidentiality rights, the steps the Weber County Library takes to respect and protect their privacy when they use library resources, and how we deal with personally identifiable information that we may collect from our users.

1. Notice & Openness

We affirm that our users have the right of “notice” – to be informed about the policies governing the amount and retention of personally identifiable information, and about why that information is necessary for the provision of library services.

We post publicly and acknowledge openly the privacy and information-gathering policies of this library. Whenever policies change, notice of those changes is

disseminated widely to our users.

In all cases, we avoid creating unnecessary records, we avoid retaining records not needed for the fulfillment of the mission of the Library, and we do not engage in practices that might place information on public view.

Information we may gather and retain about current and valid users include the following:

User Registration Information

Resources Used Information

Circulation Information

Electronic Access Information

Information Required to Provide Library Services

2. Choice & Consent

This policy explains the Library's information practices and the choices patrons can make about the way the library collects and uses their information. We will not collect or retain private and personally identifiable information without their consent. Further, if patrons consent to give us their personally identifiable information, we will keep it confidential and will not sell, license or disclose personal information to any third party without their consent, unless we are compelled to do so under the law or to comply with a court order.

If patrons wish to receive borrowing privileges, the Library must obtain certain information about them in order to provide them with a Library account. When visiting our Library's Web site and using our electronic services, they may choose to provide their name, e-mail address, library card barcode, phone number, or home address.

Library patrons have the option of providing us with their email address for the purpose of notifying them about their library account. They may request that we remove their email address from their records at any time.

We will not use or share the personally identifiable information provided to us online in ways unrelated to the ones described above without also providing patrons with an opportunity to prohibit such unrelated uses, unless we are compelled to do so under the law or to comply with a court order.

3. Access by Users

Individuals who use Library services that require the function and process of personally identifiable information are entitled to view and/or update their information. They may either view or update their personal information online or

in person. In both instances, they may be asked to provide some sort of verification such as a pin number or identification card to ensure verification of identity.

The purpose of accessing and updating a patrons' personally identifiable information is to ensure that Library operations can function properly. Such functions may include notification of overdue items, recalls, reminders, etc. The Library will explain the process of accessing or updating their information so that all personally identifiable information is accurate and up to date.

4. Data Integrity & Security

Data Integrity: The data we collect and maintain at the Library must be accurate and secure. We take reasonable steps to assure data integrity, including: using only reputable sources of data; providing our users access to their own personally identifiable data; updating data whenever possible; utilizing middleware authentication systems that authorize use without requiring personally identifiable information; destroying untimely data or converting it to anonymous form.

Data Retention: We protect personally identifiable information from unauthorized disclosure once it is no longer needed to manage library services. Information that should be regularly purged or shredded includes personally identifiable information on library resource use, material circulation history, and security/surveillance tapes and logs.

Tracking Users: We remove links between patron records and materials borrowed when items are returned, and we delete records as soon as the original purpose for data collection has been satisfied. We permit in-house access to information in all formats without creating a data trail. The Weber County Library System has invested in appropriate technology to protect the security of any personally identifiable information while it is in the Library's custody, and we ensure that aggregate, summary data is stripped of personally identifiable information. We do not ask Library visitors to identify themselves or reveal any personal information unless they are borrowing materials, requesting special services, registering for programs or classes, or making remote use from outside the Library of those portions of the Library's Web site restricted to registered borrowers under license agreements or other special arrangements. We discourage users from choosing passwords or PINs that could reveal their identity, including social security numbers. We regularly remove cookies, Web history, cached files, or other computer and Internet use records and other software code that is placed on our computers or networks.

Third Party Security: The Weber County Library System ensures that contracts, licenses, and offsite computer service arrangements reflect our policies and legal obligations concerning user privacy and confidentiality. Should a third party require access to Library users' personally identifiable information, our agreements address appropriate restrictions on the use, aggregation, dissemination, and sale of that information, particularly information about minors. In circumstances in which there is a risk that personally identifiable information may

be disclosed, our patrons will be warned. When connecting to licensed databases outside the Library, we release only information that authenticates users as "members of our community." Nevertheless, we advise users of the limits to Library privacy protection when accessing remote sites

Security Measures: Library security measures involve both managerial and technical policies and procedures to protect against loss and the unauthorized access, destruction, use, or disclosure of the data. Library managerial measures include internal organizational procedures that limit access to data and ensure that those individuals with access do not utilize the data for unauthorized purposes. Library technical security measures to prevent unauthorized access include encryption in the transmission and storage of data; limits on access through use of passwords; and storage of data on secure servers or computers that are inaccessible from a modem or network connection.

Staff access to personal data: We permit only authorized Library staff to access personal data stored in the Library's computer system for the purpose of performing Library work. We will not disclose any personal data we collect from you to any other party except where required by law or to fulfill an individual user's service request. The Library does not sell or lease users' personal information to companies, universities, or individuals.

5. Enforcement & Redress

The Weber County Library System will not share data on individuals with third parties unless required by law. We conduct privacy audits in order to ensure that all Library programs and services are enforcing our privacy policy. Library users who have questions, concerns, or complaints about the Library's handling of their privacy and confidentiality rights should file written comments with the Director of the Library. We will respond in a timely manner and may conduct a privacy investigation or review of our policy and procedures.

We authorize only the Library Director to develop an Administrative Procedure for complying with requests for confidential information received from law enforcement officers. This procedure will include conferring with our legal counsel before determining the proper response. Library records will not be made 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 that shows good cause and is in proper form. We have trained all library staff and volunteers to refer any law enforcement inquiries to Library administrators.

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