



## Daniel Pierce Library

# Privacy and Confidentiality Policy

## 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. Library records that are deemed confidential are covered by New York State Law signed on June 13, 1988 (I CPLR 4509).

*Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.*

This library's privacy and confidentiality policies 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.

Our 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. Library Commitment to Our Users Rights of Privacy and Confidentiality**

This privacy policy explains your privacy and confidentiality rights, the steps this library takes to respect and protect your privacy when you use library resources, and how we deal with personally identifying details that we may collect from our users.

### **1. Notice & Openness**

We affirm that our library users have the right of "notice"—to be informed about the policies governing the amount and retention of personally identifying details, 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 library users include the following:

- User Registration Information
- Circulation Information
- Electronic Access Information
- Information Required to Provide Library Services

### **2. Choice & Consent**

We will not collect or retain your private and personally identifying details without your consent. Further, if you consent to give us your personally identifying details, we will keep it confidential and will not sell, license or disclose personal information to any third party without your consent, unless we are compelled to do so under the law or to comply with a court order.

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

You have the option of providing us with your e-mail address for the purpose of notifying you about your library account. You may request that we remove your e-mail address from your record at any time.

We never use or share the personally identifying details provided to us online in ways unrelated to the ones described above without also providing you 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 identifying details are entitled to view and/or update their information. You may either view or update your personal information online or in person. In both instances, you 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 your personally identifying details 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 your information so that all personally identifying details 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 your 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 identifying details 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, and material circulation history.

*Tracking Users:* We remove links between patron records and materials borrowed within a short time after the items are returned (and all related fines and fees are paid) 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. Our library has invested in appropriate technology to protect the security of any personally identifying details while it is in the library's custody, and we ensure that aggregate, summary data is stripped of personally identifying details. We do not ask library visitors or website users 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 website 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:* We ensure that our library's 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 our users' personally identifying details, 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 identifying details may be disclosed, we will warn our users. 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

*Cookies:* Users of networked computers will need to enable cookies in order to access a number of resources available through the library. A cookie is a small file sent to the browser by a Web site each time that site is visited. Cookies are stored on the user's computer and can potentially transmit personal information. Cookies are often used to remember information about preferences and pages visited. You can refuse to accept cookies, can disable cookies, and remove cookies from your hard drive. Our Library servers use cookies solely to verify that a person is an authorized user in order to allow access to licensed library resources and to customize Web pages to that user's specification. Cookies sent by our Library servers will disappear when the user's computer browser is closed. We will not share cookies information with external third parties.

*Security Measures:* Our 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. Our 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. Our 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/volunteers with assigned confidential passwords 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.

*Links to other sites:* The Library's Website contains links to other sites. The library is not responsible for the privacy practices of other sites, which may be different from the privacy practices described in this policy. We encourage you to become familiar with privacy practices of other sites you visit, including linked sites.

*Children:* Parents should remind their children to ask their permission before providing personal information to any website or purchasing any products or services online. The Library urges all parents to participate in their children's exploration of the internet and to teach them about protecting their personal information while online. For further information, visit the Ramapo Catskill Library System (RCLS) web page [Internet Safety Links for Parents, Children and Teens](http://www.rcls.org/internetsafety.html) for links to web sites which provide valuable tips about using the Internet safely (<http://www.rcls.org/internetsafety.html>).

## **5. Enforcement & Redress**

Our library will not share data on individuals with third parties unless required by law. We conduct regular 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 Administration of the Library. We will respond in a timely manner and may conduct a privacy investigation or review of policy and procedures.

We authorize only the Library Administration to receive or comply with requests from law enforcement officers; we confer with our legal counsel before determining the proper response. 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 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.

## **6. Policy Changes**

This Privacy Policy may be revised to reflect changes in the Library's policies and practices or to reflect new services and content provided by the Library. Patrons are encouraged to check this document periodically to stay informed of the Library's current privacy guidelines. If the Library revises this privacy statement, changes will be posted on the Library's homepage.

*Adapted from the American Library Association's Privacy Statement, the ALA's Guidelines for Developing a Library Privacy Policy, the Queen's Public Library Privacy Policy Statement and the New York Public Library Privacy Policy.*

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