

# **BAKER COUNTY LIBRARY DISTRICT Public Services Policy Manual**

## **Statement on Privacy and Confidentiality of Library Records**

**Approved by Library Board: 12/10/2007      Date(s) of Revision: 11/09/2009; 12/09/2013**

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### **I. Introduction**

Baker County Library District protects the privacy and confidentiality of all library users, no matter their age.

*Oregon Revised Statute 192.502 (23)* exempts from disclosure under open records law: The records of a library, including: (a) Circulation records, showing use of specific library material by a named person; (b) The name of a library patron together with the address or telephone number of the patron; and (c) The electronic mail address of a patron. Baker County Library District's privacy and confidentiality policies are in compliance with applicable federal, state, and local laws.

Our commitment to your 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."

This privacy statement explains your privacy and confidentiality rights and responsibilities, the steps Baker County Library District takes to respect and protect your privacy when you use library resources, and how we deal with personally identifiable information we collect from our users.

### **II. Privacy and Confidentiality Practices**

#### **Notice and Openness**

We post publicly the library's privacy and information-gathering practices. Whenever practices change we notify our users.

We avoid creating unnecessary records, we avoid retaining records not needed for library business purposes, and we do not engage in practices that might place information on public view.

Information we may gather and retain about current library users includes the following:

- Information required to register for a library card or access the Baker County Library Historical Archives or Oregon Room special collections (e.g. name, address, telephone number, e-mail address, birth date, Oregon Drivers License or ID card number.)
- Records of material checked out, charges owed, payments made
- Electronic access information
- Requests for interlibrary loan or reference service
- Sign-up information for library classes, programs
- Records of disciplinary and collections actions

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**Choice and Consent**

We will not collect or retain your private and personally identifiable information without your consent. If you consent to give us your personally identifiable information, we will keep it confidential and will not sell, license or disclose personal information to any third party, except an agent working under contract to the library, without your consent, unless we are required by law to do so.

We never use or share the personally identifiable information provided to us in ways unrelated to the ones described above without also providing you an opportunity to prohibit such unrelated uses, unless we are required by law to do so.

If we make a service available for your convenience that may in some way lessen our ability to protect the privacy of your personally identifiable information or the confidentiality of information about your use of library materials and services, we will: 1.) Provide you with a privacy warning regarding that service; and 2.) Make it possible for you to "opt in" or "opt out" of that service.

**User Access and Responsibility**

You are entitled to view your personally identifiable information and are responsible for keeping your information accurate and up-to-date. The library will explain the process for accessing or updating your information.

**Data Integrity and Security**

We take reasonable steps to assure data integrity.

We protect personally identifiable information by electronically purging or manually shredding data once it is no longer needed for library business purposes.

We have invested in appropriate technology to protect the security of any personally identifiable information while it is in the library's custody.

We ensure that aggregate, summary data is stripped of personally identifiable information.

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.

**Parents and Children**

We respect the privacy and confidentiality of all library users, no matter their age. Parents or guardians of a child under age 18 who wish to obtain access to their child's library records must be listed on the account registration card as the account sponsor or authorized parent/guardian, correctly provide the child's full name, and birth date as listed in the library account, or provide proof of guardianship.

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**Items on Hold**

Items placed on hold for library users are shelved by the user's last name for pick-up in non-public areas of our libraries.

**Third Party Security**

We ensure that the library's contracts, licenses, and offsite computer service arrangements reflect our policies and legal obligations concerning user privacy and confidentiality. Our agreements address appropriate restrictions on the use, aggregation, dissemination, and sale of that information, particularly information about minors.

When connecting to licensed databases outside the library, we release only information that authenticates users as registered Baker County Library District borrowers. Nevertheless, users must be aware, when accessing remote sites, that there are limits to the privacy protection the library can provide.

Some users 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 personal information related to library use via public communication networks. These users must also be aware that the library has limited ability to protect the privacy of this information once it is outside our control.

**Cookies**

Users accessing the library's website will need to enable cookies in order to access a number of resources available through the library. 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 soon after the user's computer browser is closed.

**Security Measures**

Our procedures limit access to data and ensure that those individuals with access do not utilize the data for unauthorized purposes. We limit 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**

Library staff may access personal data stored in the library's computer system only for the purpose of performing their assigned library duties. Staff will not disclose any personal data we collect from you to any other party except where required by law or to fulfill your service request. The library does not sell, lease or give users' personal information to companies, governmental agencies or individuals except as required by law or with the user's authorization.

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**Notification of Accidental Disclosure**

In compliance with Oregon Identity Theft Protection Act (SB 583) the Baker County Library District will make a reasonable effort to notify affected persons in a timely manner in the event that personal identifying information is accidentally disclosed. This information includes a person's name in combination with a driver's license number or Oregon identification card number.

**Enforcement and Redress**

If you have a question, concern, or complaint about our handling of your privacy and confidentiality rights you may file written comments with the Library Director. We will respond in a timely manner and may conduct a privacy investigation or review of practices and procedures. We conduct such reviews regularly to insure compliance with the principles outlined in this statement.

The Library Director is custodian of library records and is the only party 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 County Attorney 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. We have trained all library staff and volunteers to refer any law enforcement inquiries to the Library Director.

**Illegal Activity Prohibited and Not Protected**

Users may conduct only legal activity while using library resources and services. Nothing in this statement prevents the library from exercising its right to enforce its Code 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 monitor public computers and external access to its network and reserves the right to do so when a violation of law or library policy is suspected. Staff is authorized to take immediate action to protect the security of library users, staff, facilities, computers and the network. This includes contacting law enforcement authorities and providing information that may identify the individual(s) perpetrating a violation.