

## Kent County Public Library PRIVACY AND CONFIDENTIALITY POLICY

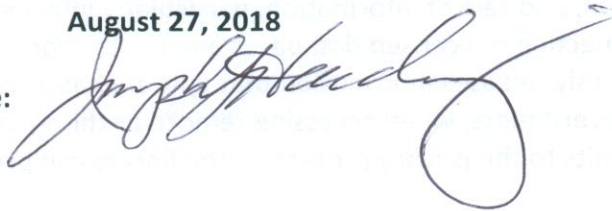
**Policy:** Kent County Public Library's privacy and confidentiality policy is based on the ethics and practices of professional librarianship, and in accordance with the American Library Association's Code of Ethics, "we protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted."

Maryland state law (MD Code, GP §4-308; ED § 23-108) protects patrons' library records against any unlawful "inspection, use, or disclosure" and provides specific legal criteria under which records can be inspected, used or disclosed.

KCPL is committed to privacy and confidentiality for all library users, consistent with applicable federal, state, and local laws.

**Date:** August 27, 2018

**Signature:**

A handwritten signature in black ink, appearing to read "Joseph Handley", written over a light blue horizontal line.

**Definitions:** "Associated Account" – A patron's library account can be linked or associated with another account in order to allow items on hold for the first account to be checked out using the second account.

"Personally Identifiable Information" – Information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context.

**Procedures: Collection and Retention of Personal Information**

KCPL collects and retains personal information in order to provide access to a library account and other library services, and to allow the library to perform and improve essential functions. In setting this policy, the library seeks to provide the ideal balance of privacy, customer service, and convenience.

Personally identifiable information will remain confidential and will not be sold, licensed, or disclosed to any third party, except those vendors working under contract with the library, or except as required by law. For information about the ways third party vendors may use or disclose your information, please see the "Third party vendor services" section later in this policy.

KCPL strives to avoid creating unnecessary records and makes sure your personally identifiable information is not placed on public view without your consent. We also take steps to remove or to de-identify personally identifiable information from data, wherever possible.

KCPL is committed to transparency about how your personal information is handled and protected. Questions about the library's privacy and confidentiality policy are encouraged – we're here to help.

### **Third Party Vendor Services**

KCPL provides expanded services to library patrons through contracts Eastern Shore Regional Library (ESRL) establishes and facilitates with third party vendors to provide expanded services, such as digital collections, research databases, and streaming media content. ESRL makes concerted efforts to ensure that the library's contracts, licenses, and off-site computer service arrangements reflect the library's policies and legal obligations concerning user privacy and confidentiality. ESRL's agreements address appropriate restrictions on the use, aggregation, dissemination, and sale of information, particularly information about minors. When connecting to licensed databases and content providers outside the library, KCPL only releases information that authenticates users as registered KCPL users. Nevertheless, when accessing remote or third party vendor sites, there are limits to the privacy protection the library can provide.

For more information on these services and the specific types of data that may be gathered and disclosed by each service, please refer to the Terms of Use and Privacy Policies for the services you may choose to use. Users may choose not to use these third party services if they do not accept their Terms of Use and Privacy Policies.

### **Parents and Children**

Parents and legal guardians of a child under age 18 who wish to obtain access to a child's library records must present the child's library card or confirm their identity as the minor's parent or legal guardian by displaying valid ID.

In accordance with COPPA (Children's Online Privacy Protection Act), we do not collect personally identifiable information online from children under 13 without permission from their parent or legal guardian.

### **Items on Hold**

KCPL staff treat the materials you place on hold as confidential. You may choose to have another person pick up your holds by asking our staff to create an "Associated Account," which will allow the chosen person to pick up and check out items you have placed on hold on their library account. You may also give

your library card to another person in order for them to pick up materials you place on hold.

Parents or legal guardians of a child under 18 may pick up holds for their children. In order to pick up the child's hold, they must present the child's card, present a card from an Associated Account, or confirm their identity as the child's parent or legal guardian by displaying valid ID.

Please ask a staff member if you have questions about holds.

### **Photographs and videos**

KCPL staff may take photographs and/or videos at library events and library-related activities, and attendance and participation at such constitutes implied consent to be photographed. These photographs and videos may appear in future library publications or other library publicity. To protect privacy, people in these images will not be identified using full names or other personally identifiable information without written approval from the person, parent, or legal guardian. If you do not want your child or yourself to be included in photographs or videos, please let a staff person know – your request for increased privacy will be respected.

### **Security cameras**

The library uses security cameras to enhance the safety and security of library users, staff, and property, while at the same time, protecting your right to privacy. When necessary, recorded images are provided to law enforcement for the purpose of investigating or prosecuting criminal activity.

To protect your privacy, cameras are located where library users would not have a reasonable expectation of privacy, such as entryways and public seating areas. Cameras are never installed in areas where members of the public and staff would have a reasonable expectation of privacy, such as restrooms.

### **Data, computer, and payment security measures**

The library takes proactive steps to assure data security. We protect personally identifiable information by electronically purging or manually shredding data once it is no longer needed for library business purposes, whenever possible. In addition, we take steps to remove or de-identify personally identifiable information in aggregate, summary data.

Our policies and procedures limit staff access to data and ensure that those with access use the data for authorized purposes only. We limit and protect access through the use of strong passwords and by storing data securely. Staff will not disclose any personally identifiable information to any other party except to fulfill your service requests or where required by law.

Cookies, browsing history, files, or other computer and Internet use records that are placed on our public computers are automatically removed when a session ends. Our public computers are routinely updated and scanned for malicious software, and are protected against intrusion.

We encourage patrons to use secure browsing practices, whether on a public computer or on Wi-Fi. Please see a staff member if you have questions about secure browsing. Please note that Wi-Fi traffic from device to device is prohibited – devices connected to the network cannot communicate to one another.

Payments processed via card transactions are done securely through our payment processor. No card information is stored locally.

#### **Other services**

This privacy and confidentiality policy does not apply to external applications or websites you may access from the library's public computers, devices, or equipment, such as social media sites.

You may choose to take advantage of library-related services via e-mail or other communication methods that send personally-identifiable information related to library use via public communication networks. You should be aware that the library has limited ability to protect the privacy of this information once it is outside our control.

#### **Illegal activity prohibited and not protected**

Library users may conduct only legal activity while using library resources, facilities, and services. Nothing in this policy prevents the library from exercising its right to enforce its Behavior Policy, protect its facilities, networks, and equipment from harm, or prevent the use of library facilities and equipment against illegal purposes. The library can electronically log activity to monitor public computers and external access to its networks 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 users, staff, facilities, computers, and networks. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.

#### **Questions, Concerns, or Complaints**

If you have a question, concern, or complaint concerning your personally identifiable information or this policy, you may send written comments to the Library Director. We will respond in a timely manner and may conduct an

investigation or review of practices and procedures. We also conduct reviews regularly to ensure compliance with the principles outlined in this policy.

Library records may be subject to disclosure to law enforcement officials under provisions of state law, the USA PATRIOT Act (Public Law 107-56), or in a civil lawsuit. Librarians may be forbidden from reporting to you that your records have been requested or obtained under provisions of the USA PATRIOT Act.

Consistent with MD Code, GP, § 4-308; ED, § 23-108, 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 to refer any law enforcement inquiries to the Library Director.