

**Subject:** PATRON CONFIDENTIALITY

**Effective:** 1997; Revised October 2004; Reviewed October 17, 2005; Revised February 25, 2008; Revised February 22, 2010; Revised May 18, 2015; Reviewed May 21, 2018

**Policy Objective:**

To establish guidelines for maintaining confidentiality of library borrowers' records.

**Authority:**

Board of Trustees of the Glendora Public Library

Library Board of Trustees Minute Order 1997

All questions arising from this policy are to be brought to the attention of the Library Board, if not resolvable by the Library Director

**Assigned Responsibility:**

Board of Trustees of the Glendora Public Library, Library Director and assigned staff

**Procedures:**

See attached regulations



## **PATRON CONFIDENTIALITY POLICY**

### **Glendora Public Library**

Privacy is essential to the exercise of free speech, free thought, and free association. In libraries, 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 (PII) about users and keeps that information private on their behalf.

-- "Guidelines for Developing a Library Privacy Policy",  
American Library Association, May 1, 2014.

### Governing laws and guiding policies

1. The confidentiality policies of the Glendora Public Library shall comply with the applicable federal, state and local laws, including but not limited to:

#### **California State Law**

Library circulation records kept for the purpose of identifying the borrower of items available in libraries are exempted from public disclosure per the California Public Records Act (CA Government Code section 6250 et seq.)

**Gov't Code Section 6267** provides as follows:

All patron use records of any library which is in whole or in part supported by public funds shall remain confidential and shall not be disclosed by a public agency, or private actor that maintains or stores patron use records on behalf of a public agency, to any person, local agency, or state agency except as follows:

- (a) By a person acting within the scope of his or her duties within the administration of the library.
- (b) By a person authorized, in writing, by the individual to whom the records pertain, to inspect the records.
- (c) By order of the appropriate superior court.

As used in this section, the term "patron use records" includes the following:

(1) Any written or electronic record, that is used to identify the patron, including, but not limited to, a patron's name, address, telephone number, or e-mail address, that a library patron provides in order to become eligible to borrow or use books and other materials.

(2) Any written record or electronic transaction that identifies a patron's borrowing information or use of library information resources, including, but not limited to, database search records, borrowing records, class records, and any other personally identifiable uses of library resources information requests, or inquiries.

This section shall not apply to statistical reports of patron use nor to records of fines collected by the library.

## **2. American Library Association**

In accordance with the "**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.

As urged in "**Resolution on the Retention of Library Usage Records**," Glendora Public Library strives to:

- Limit the degree to which personally identifiable information is collected, monitored, disclosed, and distributed; and
- Avoid creating unnecessary records; and
- Limit access to personally identifiable information to staff performing authorized functions; and
- Dispose of library usage records containing personally identifiable information unless they are needed for the efficient and lawful operation of the library, including, but not limited to data-related logs, digital records, vendor-collected data, and system backups; and
- Ensure that the library work with its organization's information technology unit to ensure that library usage records processed or held by the IT unit are treated in accordance with library records policies; and
- Ensure that those records that must be retained are secure; and
- Avoid library practices and procedures that place personally identifiable information on public view; and
- Assure that vendor agreements guarantee library control of all data and records; and
- Conduct an annual privacy audit to ensure that information processing procedures meet privacy requirements by examining how information about library users and employees is collected, stored, shared, used, and destroyed

Attachments:

1. American Library Association's (ALA) Code of Ethics
2. ALA: Resolution on the Retention of Library Usage Records
3. Welcome to Glendora Public Library letter
4. What Every Parent Should Know About the Glendora Public Library
5. Implementation and Procedures

Approved and adopted this 21st day of May 2018.

Ayes: 3

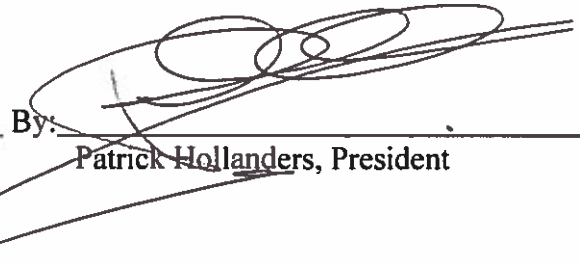
City of Glendora  
Board of Library Trustees

Noes: 0

Absent: 2

Abstain: 0

Attest:   
Janet Stone, Library Director

By:   
Patrick Hollanders, President

## Code of Ethics of the American Library Association

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

- I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
- II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- III. 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.
- IV. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
- V. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
- VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
- VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
- VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of coworkers, and by fostering the aspirations of potential members of the profession.

Adopted at the 1939 Midwinter Meeting by the ALA Council; amended June 30, 1981; June 28, 1995; and January 22, 2008.

The previous version of this file has long held the **incorrect amendment date of June 28, 1997**; the [Office for Intellectual Freedom](#) regrets and apologizes for the error.

# Resolution on the Retention of Library Usage Records

WHEREAS, "Protecting user privacy and confidentiality is necessary for intellectual freedom and fundamental to the ethics and practice of librarianship" (ALA Policy Manual, 53.1.16; [Privacy: An Interpretation of the Library Bill of Rights](#)); and

WHEREAS, Library usage records containing personally identifiable information (PII) are maintained for the sole purpose of effectively managing library resources; and

WHEREAS, The confidentiality of library usage records is protected by law in all fifty states and in the District of Columbia (see <http://www.ala.org/ala/aboutala/offices/oif/ifgroups/stateifchairs/stateifcinaction/stateprivacy.cfm>); and

WHEREAS, "The government's interest in library use represents a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave" (ALA Policy Manual, 52.4.2; [Confidentiality of Personally Identifiable Information About Library Users](#)); and

WHEREAS, The American Library Association strongly recommends the adoption of policies recognizing "circulation records and other records identifying the names of library users with specific materials to be confidential" (ALA Policy Manual, 52.4; [Confidentiality of Library Records](#)); now, therefore, be it

RESOLVED, That the American Library Association urges all libraries to:

- Limit the degree to which personally identifiable information is collected, monitored, disclosed, and distributed; and
- Avoid creating unnecessary records; and
- Limit access to personally identifiable information to staff performing authorized functions; and
- Dispose of library usage records containing personally identifiable information unless they are needed for the efficient and lawful operation of the library, including, but not limited to data-related logs, digital records, vendor-collected data, and system backups; and
- Ensure that the library work with its organization's information technology unit to ensure that library usage records processed or held by the IT unit are treated in accordance with library records policies; and
- Ensure that those records that must be retained are secure; and
- Avoid library practices and procedures that place personally identifiable information on public view; and
- Assure that vendor agreements guarantee library control of all data and records; and
- Conduct an annual privacy audit to ensure that information processing procedures meet privacy requirements by examining how information about library users and employees is collected, stored, shared, used, and destroyed; and, be it further

RESOLVED, That the American Library Association urges all libraries to adopt or update a privacy policy protecting users' personally identifiable information, communicating to library users how their information is used, and explaining the limited circumstances under which personally identifiable information could be disclosed; and, be it further

RESOLVED, That the American Library Association urges members of the library community to advocate that records retention laws and regulations limit retention of library usage records containing personally identifiable information to the time needed for efficient operation of the library.

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Adopted by the Council of the American Library Association  
Wednesday, June 28, 2006  
New Orleans, Louisiana

## Attachment 3

# Welcome to the Glendora Public Library

Dear Parent or Guardian:

We'd like to take this opportunity to acquaint you with the Glendora Public Library.

The public library is an important resource for children and young adults. It can supplement the school media center for homework and research while also providing a wide array of materials for personal and recreational needs. Many of our resources are available from any computer with Internet access at [www.glendoralibrary.org](http://www.glendoralibrary.org).

Your public library also strives to meet the needs of young pre-schoolers and toddlers by providing resources and programs suitable to their age level. As a parent, you too will discover information to help you with the challenges of raising healthy, responsible children.

The library serves all members of the community. We urge you to assist your children in the selection of library materials and computer resources appropriate to their age and your family's values.

Important library policies to aid in your child's enjoyment of the library are in place. Please check with our library staff if you would like to see or review any of the policies. They are also available on our library's website at [www.glendoralibrary.org](http://www.glendoralibrary.org).

We look forward to serving your needs and those of your children. We hope you will visit soon. If you have any questions or suggestions, please feel free to call the library at 626/852-4891 and ask for assistance. Staff will be happy to answer your questions.

Sincerely, .

The Glendora Public Library Board of Trustees



## WHAT EVERY PARENT SHOULD KNOW ABOUT THE GLENDORA PUBLIC LIBRARY

### **To get a card**

Library cards are free with identification and proof of current address. Children in the 8th grade and under need a parent's signature to obtain a card. A current borrower's card must be presented in order to check out materials.

### **The Library considers each card a separate account**

If a bill is not paid, the child's card, not yours, will be restricted. If extended use fees exceed \$2.00, additional materials cannot be checked out until the fees are paid. A non-refundable \$10.00 handling fee is charged for any lost or damaged item, plus the cost of the item.

### **The Library is required by California law to respect your privacy and that of your child**

We can only give information about activity on an account to the library card owner. This means the Library may not tell you the titles your child has checked out on his/her card unless the items are overdue. Individuals may view information in their own library record regarding fines, fees, holds and items checked out by accessing the library catalog from home or in the library and using their library card number and personal password.

### **Library policy supports the right of each individual to choose for themselves**

An individual with a library card may check out any item in the collection. Library staff may not tell your child what he/she can or cannot borrow. We encourage you to set your own family rules and talk about them with your child.

### **Safety Practices at the Glendora Library**

For their safety, young children under the age of nine must be accompanied at all times by a responsible adult. Children age 9 and above should be reminded to follow common safety practices. Remind them not to interact with strangers in the library other than library personnel who can be identified by their badges.

### **You are responsible for your child's use of the Internet**

The Internet is available on the public computers in the Library. Anyone with a valid Glendora Public Library card can use the computers. The Library's Internet Acceptable Use Policy is posted on each computer. Anyone violating the policy will be asked to end their time on the public computer and may lose library privileges. The Internet is a great place to explore information and ideas from all over the world. Remember that the Library has no control over the information you might find on the Internet. Just because it is on the Internet does not mean it is true or valuable.

Child appropriate Internet sites are available through the library's website at [www.glendoralibrary.org](http://www.glendoralibrary.org). Library staff can also assist you in evaluating additional sites.

*This is a summary only. Full policies can be found on the Library's web site or requested at any main floor service desk.*







## **PATRON CONFIDENTIALITY POLICY**

### **Implementation and Procedures Glendora Public Library**

#### Implementation Guidelines

We protect each library user's right to privacy and confidentiality with respect to any information sought or received and any kind of resources consulted, borrowed, acquired, or transmitted. When doing so for newer and emerging library uses, we strive to honor as closely as possible procedures that address traditional library materials.

1. When a patron comes into the library and presents a valid library card, staff will assume its use is authorized and will give any information requested, such as titles checked out, due dates, fines owing and overdue items. If changes are requested to a patron record, current identification, as defined by the Library's Circulation Policy 3.03, is required.
2. When telephoning, writing, emailing, or otherwise contacting the library without being on site, the patron must provide his or her library card number, name, and birth date (month and day). Other data may be used, and/or additional information may be requested by staff if the identity of the patron is in doubt. If/when the identity of the patron has been verified satisfactorily, the patron may be provided with the same information as in a "card-in-hand" transaction.
  - a. Library card/account numbers are not given out without the patron present.
3. An adult can be told that the default PIN/Password is the last four digits of his or her phone number on file, but library staff can not volunteer those numbers. The patron must show proper identification and proof of current address to request an inquiry or change in telephone number, PIN/Password or any other information.
4. If a patron requests information about materials checked out on his/her minor child's library card but does not have the card with him/her, staff can either:
  - a. Print a copy of the book titles and other items on the patron record and mail it to the person named on the card (the print out lists all transactions on the borrowing record).

## Attachment 5

- b. With in-person verification of the parent's identity, give the parent information on the number and types of materials charged on his/her child's borrowing record as well as fines and due dates, but not titles of the books, unless items are overdue.
  - c. With the minor's written authorization provide the list of titles and due dates charged to the authorizing minor's card.
5. A minor can be told the PIN/Password is the last four digits of his or her phone number on file, but library staff can not volunteer those numbers. If an inquiry or change of telephone number (PIN) is requested, a parent or guardian with identification must be present, unless the minor is in high school and can provide identification and proof of address.
6. Except as required for administrative purposes, staff is not to view the borrowing records of any patron including fellow staff members.
7. Staff shall not discuss or disclose the nature or content of staff or patron requests for information except as necessary for the completion of service.

### Law Enforcement Visits

The Library recognizes that law enforcement agencies and officers may occasionally believe that library records contain information which may be helpful to the investigation of criminal activity. If there is a reasonable basis to believe such records are necessary to the progress of an investigation or prosecution, the American judicial system provides the mechanism for seeking release of such confidential records: the issuance of a court order, following a showing of good cause based on specific facts, by a court of competent jurisdiction.

All library staff, including volunteers, should understand that it is lawful to refer the agent or officer to an administrator in charge of the library (Library Director or designee). While staff at large should be cooperative and responsive in making such referrals, they do not themselves have the authority to comply immediately with the substance of records requests.

### Procedures for Law Enforcement Visits

The Library Director or designee will review any and all requests by law enforcement, or any other department, for confidential patron information. Upon review, the Library Director may grant or deny the request in accordance with CA State Law and ALA standards.

A court order (subpoena, search warrant) may be required depending on the type and nature of information requested for the release of confidential information.

## **Attachment 5**

In the event of a court order, the City Attorney and City Manager offices should be contacted immediately.

If the Library Director or designee is not available, library staff should request identification from the agent or officer requesting the information, along with any related documentation to be forwarded to the Library Director. Library staff does not have the authority to grant or deny a confidential information request.

Subpoenas should be examined by counsel before information is released.

A search warrant is executable immediately, unlike a subpoena. The agent or officer may begin a search of library records as soon as the Library Director or designee is served with the search warrant. Ask to have library counsel present before the search begins in order to allow library counsel an opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant.

Without a court order, no law enforcement has authority to compel cooperation with an investigation or require answers to questions, other than the name and address of the person speaking to the agent or officer.

If disclosure is required, the court should be asked to enter a protective order (drafted by the library's counsel) keeping the information confidential and limiting its use to the particular case. A request should be made to provide access only to those persons working directly on the case.