

Kelso Public Library

Policy No. 301 (Adopted 3/29/2023)

Confidentiality of Patron and Circulation Records Policy

Purpose of the Confidentiality of Patron and Circulation Records Policy

301.1 The Kelso Public Library strives to protect each library patron's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted within the constraints of the public records act. The following policy addresses how the Kelso Public Library protects patron privacy and maintains the confidentiality of patron records.

Background

301.2 The Washington State Open Public Records Law requires public agencies to provide records on request; RCW 42.56.070. There is an exemption to this law for certain library records; RCW 42.56.310. Records kept primarily to maintain control of library materials or to help patrons gain access to information are exempt from public disclosure if the record can be used to identify a library user. Other exemptions may also apply to certain types of records.

Definitions

- 301.3 **Privacy** is the right to open inquiry without having the subject of one's interest examined or scrutinized by others.
- 301.4 **Confidentiality** exists when a library is in possession of Personally Identifiable Information about users and keeps that information private on their behalf.
- 301.5 **Personal Information** includes specific information such as an individual's name, address, and telephone number. In some places this is also called Personal Identification.
- 301.6 **Personally Identifiable Information** is information that connects Personal Information with preferences and interests such as webpages searched, reference questions asked, or items checked out from a Library.
- 301.7 **Library Cards** provide ease of access to a type of Library Record.
- 301.8 **Library Record** means a document, record, or other method of storing information retained by a library that identifies Personal Information and/or a person as having requested or obtained specific information or materials from a library.
- 301.9 **Public Records** are documents, videos, or pieces of information related to the conduct of government that are not considered confidential.

Policies

- 301.10 Confidentiality of Library Records is central to intellectual freedom and directly related to the ability of citizens to use library materials and pursue information without fear of intimidation.
- 301.11 Privacy is essential to the exercise of free speech, free thought and free association.

- 301.12 Library Records and other Personally Identifiable Information are confidential in nature. No individual except authorized Library staff shall have access to Library Records other than their own without the individual's consent, except as listed below.
- a) Library records may be subject to disclosure to officials pursuant to a process, subpoena or court order authorized pursuant to a federal, state, or local law relating to civil, criminal, administrative or legislative investigative power. Library staff will seek legal counsel from the City Attorney's Office in the event of such request for release of library records, and will respond to the request according to advice of counsel.
 - b) The Library interprets possession of a card (or card number in a phone or email request) as consent to use it unless it has been reported lost or stolen, or there is reason to believe that consent has not been given.
 - c) Library records for checked out materials for which a replacement fee has been charged may be revealed to parents and/or guardians of minor children, a collection agency, or law enforcement personnel.
 - d) Illegal activity is not protected. The Library may review information when a violation of law or Library policy designed to protect facilities, network, and equipment is suspected.
 - e) Persons attending library programs or public meetings may be recorded or photographed as an audience member. These images may be used for library programming or promotion, on the Library website, the Internet, and other media.
 - f) The Library will consider third-party vendor privacy policies when selecting digital collections and resources. The Library cannot guarantee the confidentiality of information sought or received, or materials consulted or borrowed from third-party digital services to which we provide access. When patrons use those resources, they are subject to the individual third-party terms and privacy policies.
 - g) The Library may use circulation records while attempting to identify the most recent user of an item that had something left inside, or contained harmful or suspicious content.
- 301.13 Patrons not in possession of their library card may access their own library account records using valid state issued photo ID.

Personally Identifiable Information Collected by the Kelso Public Library

- 301.14 The Kelso Public Library collects Personal Information from our users to conduct the business of lending library materials and providing library services. This information includes:
- a) Name
 - b) Date of Birth
 - c) Phone Number
 - d) Home and Mailing Address
 - e) Email Address
 - f) Unique Library Card Number
 - g) Signature on Library Card Applications and Library Cards
 - h) Responsible Adult (Minors Only)

301.15 The Kelso Public Library does not share or sell our patrons' information to any third-party sources. We share our patron's information with our Integrated Library Software vendor and use their cloud-based server for storage of patron records. The Kelso Public Library may share patron data with a third-party vendor for assistance in collecting library materials or resolving delinquent accounts.

Third Party Partners

301.16 The Kelso Public Library enters into agreements with third party vendors and partners to provide online services, digital collections, streaming media content, electronic newsletters and to improve our website. When using some of these services, library patrons may also connect with social networks and other users of these services.

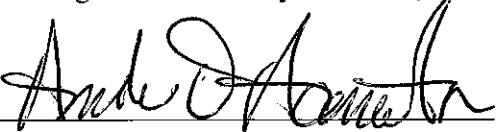
301.17 Third party services may gather and disclose information, including:

- a) Personally identifiable information knowingly provided, including registering for a site, providing feedback and suggestions, requesting information or creating shared content.
- b) Other information that could be used for identification including IP address, search history, location-based data and device ID.
- c) Non-personally identifiable information, such as ad views, analytics, browser information (type and language), cookie data, date/time of a request, demographic data, hardware/software type, interaction data, server domains, page views and web pages visited immediately prior to visiting a third-party site.
- d) Other data that third party services may collect as described in the vendor's privacy policy and terms of use


Citations and References:

RCW 42.56.310 Library records; and RCW 42.56.540 Court protection of public records.

Signed this 29th day of March, 2023



Andrew Hamilton, City Manager



Erik Moser, Library Director