

# Livingston Manor Free 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.*

## II. Livingston Manor Free Library's 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, Choice & Consent

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.

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 about library users include the following

- 1 User Registration Information (retained in library software)
- 2 Circulation Information (retained briefly, but may be fully retained upon request of patron)
- 3 Time and Period of Library Computer Use (retained briefly)
- 4 Website User Names (user may opt to save until computer is restarted)
- 5 Email addresses (retained upon consent for communication of library business)

We permit only authorized Library staff 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.

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>).

## **2. 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 complains about the library's handling of their privacy and confidentiality rights should file written comments with the Director 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 Director to receive or comply with requests from law enforcement officers; we will 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 the library administrator.

Adopted by Livingston Manor Board of Trustees, January 30, 2013

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