



# **CITY OF SANTA BARBARA LIBRARY BOARD**

## **Central Library**

**\*\* Eastside Library, 1102 East Montecito Street, Santa Barbara\*\***

**Tuesday, March 25, 2014**

### **MEETING**

**12:00 noon**

### **AGENDA**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **APPROVAL OF MINUTES – of February 25, 2014**

#### **CHANGES TO THE AGENDA**

#### **PUBLIC COMMENT**

Any member of the public may address the Library Board for up to two minutes on any subject within the jurisdiction of the Board that is not scheduled for a public discussion before the Board.

#### **OLD BUSINESS**

- 1. Library Plaza Project Update**
- 2. Children's Library Project Update**
- 3. Budget Update**

#### **NEW BUSINESS**

- 4. Library Director's Report**
- 5. Approval of Privacy Policy Regarding Library Records**

#### **BOARD/STAFF COMMUNICATIONS**

#### **FUTURE AGENDA ITEMS**

**Next Regular Meeting:** April 21st, 2014 (State of the Library, Council Chambers, 6pm - televised meeting)

#### **ADJOURNMENT**

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the Library Administration Office at (805) 564-5608. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

Materials related to an item on this agenda submitted to the Library Board after distribution of the agenda packet are available for public inspection at the Administration Office of the Central Library, 40 E. Anapamu St. during normal business hours.

## Patron Privacy Policy

The Santa Barbara Public Library System (SBPLS) is committed to user privacy, and will keep all such information that it purposefully or inadvertently collects or maintains confidential to the fullest extent permitted by the law. Protecting library user privacy and keeping confidential information that identifies individuals or associates individuals with their use of library books, materials, equipment, programs, facilities and/or staff assistance is an integral principle of public libraries.

California has some of the nation's strongest protections for library patron records and privacy. Known as the California Public Records Act, and found under the California Government Code, Title 1, Division 7, Sections 6254 (j) and 6267 (a), (b), and (c) refer specifically to registration and circulation records.

### I. GENERAL POLICY

- a. The Library will keep all such information that it purposefully or inadvertently collects or maintains confidential to the fullest extent permitted by federal, state and local law, including the California Public Records Act and the USA PATRIOT Act.
- b. Protection of confidentiality extends to information sought or received, and materials consulted, borrowed and received.
- c. Protection of confidentiality includes database search records, circulation records, interlibrary loan records and other personally identifiable uses of library materials, facilities or services.
- d. The Library does not collect personal information about a library user when a user visits the Library's Web site, registers for a program, or registers for a library card unless the user authorizes the Library to have that information. The user has the option to participate or not participate.
- e. Any information the library user chooses to provide will be used only to provide or improve library services, such as information gathered through voluntary library user surveys.
- f. The Library protects library user account information by placing it on a secure server.
- g. To receive a library card, library users are required to provide identifying information such as name, birth date and mailing address. This identifying information is retained as long as the library user has a library card.
- h. A library user's library record includes current information, items currently checked out, items on hold or requested, as well as overdue materials and any fees.
- i. The Library does not maintain a history of items that a library user has previously checked out when books and materials have been returned on-time.
- j. When fees accrue on a user's account, the Library does maintain records of items that have been borrowed but returned after the due date, and a history of fees paid by a user.
- k. Notes may be added to a library user's account as a means of identifying and documenting discussions staff have had with a user.
- l. Radio Frequency Identification (RFID) information: an RFID chip/tag is limited to the item/patron barcode or an encrypted number, as well as a security bit that indicates if the item is in or out of the library. There is no other identifying information inherent to the RFID chip/tag.

- m. Searching by the barcode of library books and other materials is not available to the public.
- n. The Library's online system offers library user activated features, such as saved searches and reading history. Information gathered and stored using this feature is only accessible to the library user. There is no administrative interface to this information for library staff and, therefore, it is not retrievable by anyone other than the user. The user has the option to delete their search history at any time.
- o. Any future enhancements developed by the software vendors for the Library's online system that may impact user confidentiality will not be activated by the Library.
- p. The Library treats reference questions, regardless of format of transmission (in person, via telephone, fax, email or online) confidentially. Personal identifying information related to these questions is purged on an ongoing basis.
- q. Email is not necessarily secure against interception and may be subject to disclosure requirements of the Public Records Act or other legal disclosure requirements.

## **II. PATRON ACCESS TO CIRCULATION INFORMATION**

In accordance with California State Law (Government Code Section 6267) the Library does not disclose circulation or registration records to anyone other than the individual to whom the records pertain, except under the code's stated conditions. It is the responsibility of all library employees to keep your library record confidential and to protect your record from unauthorized access. To accomplish this we must verify your identity with your library card or a valid picture ID before any information (verbal or paper) can be given out.

## **III. ACCESS TO CIRCULATION INFORMATION FOR A CHILD OR TEEN**

SBPLS treats all patron registration records and all library circulation records as confidential in accordance with California State Law (Government Code Section 6267).

- a. Children Age 12 and Under:
  - i. The Library requires a parent or legal guardian to authorize a child 12 and under to obtain a library card by signing the child's library card application. A parent or legal guardian of a child 12 or under who wishes to obtain information regarding their child's library materials must present valid identification at the time of their request.
  - ii. The Library will disclose that child's current circulation records upon request from the child's parent or legal guardian who:
    - 1. originally authorized the child to obtain a library card, or
    - 2. presents the child's card at the time of the request, or
    - 3. is accompanied by the child to whom the circulation records pertain
- b. Patrons over age 12 are able to apply for and receive library cards without a parent's signature if they meet the library's identification requirements. If your child is age 13 or over, then the Library cannot disclose your child's circulation records without your child being present and giving permission to library staff.

## **IV. LAW ENFORCEMENT ACCESS**

Library records will not be made available to any agency of the state, federal or local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and

pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigatory power.

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT): Sections 214-216 of this Act gives law enforcement agencies expanded authority to obtain library records, secretly monitor electronic communications and prohibits libraries and librarians from informing library users of monitoring or information requests.

**V. ADDITIONAL RESOURCES**

[American Library Association](#) (Privacy and Surveillance)

[California Public Records Act](#) (from the California Government Code sections 6250 through 6270)

DRAFT

**California Government Code**  
Title 1. General  
Division 7. Miscellaneous  
Chapter 3.5 Inspection of Public Records  
Article 1. General Provisions

**Section 6267**

6267 Registration and circulation records of library supported by public funds

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" include 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.

**Section 6254**

6254 Records exempt from disclosure requirements

Except as provided in Sections 6254.7 and 6254.13, nothing in this chapter shall be construed to require disclosure of records that are any of the following:

<...>

(j) Library circulation records kept for the purpose of identifying the borrower of items available in libraries, and library and museum materials made or acquired and presented solely for reference or exhibition purposes. The exemption in this subdivision shall not apply to records of fines imposed on the borrowers.