



## PATRON PRIVACY POLICY Santa Barbara Public Library System

*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.*

### **General Policy:**

1. 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.
2. Protection of confidentiality extends to information sought or received, and materials consulted, borrowed and received.
3. Protection of confidentiality includes database search records, circulation records, interlibrary loan records and other personally identifiable uses of library materials, facilities or services.
4. 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.
5. 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.
6. The Library protects library user account information by placing it on a secure server.
7. 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.
8. 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.
9. 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.
10. 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.
11. Notes may be added to a library user's account as a means of identifying and documenting discussions staff have had with a user.
12. 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.
13. Searching by the barcode of library books and other materials is not available to the public.
14. 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.

15. 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.
16. 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.
17. Email is not necessarily secure against interception and may be subject to disclosure requirements of the Public Records Act or other legal disclosure requirements.

### **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.

### **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).

1. Children Age 12 and Under:
  - a. 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.
  - b. The Library will disclose a child's current circulation records to:
    - i. a parent or legal guardian, who presents valid identification, and is identified on the child's account, or
    - ii. someone who presents the child's card at the time of the request
2. 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.

### **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.

### **Additional Resources**

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

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