



509 North Main
Maryville, MO
64468-1610

Phone: (660) 582.5281
Fax: (660) 582.2411

Maryville Public Library Policy

Section D: PUBLIC ACCESS & SERVICES

Subject 700: Confidentiality and Privacy, Page 1 of 2

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Confidentiality and Privacy

The Maryville Public Library (MPL) defines the right to privacy in the library as the right of individuals to lawfully use the library's resources to pursue their inquiries without having the subject of their interest examined or scrutinized by others. Confidentiality exists when the library obtains personally identifiable information about users that is necessary for the operation of the library, and undertakes to keep that information private on their behalf. The courts have upheld the right to privacy based on the Bill of Rights of the United States Constitution. Many states, including Missouri, provide guarantees of privacy in their constitutions and statutes. Missouri Revised Statutes 1994 defines the responsibility of the library in safeguarding personally identifiable information:

182.817. Disclosure of library records not required – exceptions. – Notwithstanding the provisions of any other law to the contrary, no library or employee or agent of a library shall be required to release or disclose a library record or portion of a library record to any person or persons except:

(1) In response to a written request of the person identified in that record, according to procedures and forms giving written consent as determined by the library; or

(2) In response to an order issued by a court of competent jurisdiction upon a finding that the disclosure of such record is necessary to protect the public safety or to prosecute a crime.

Maryville Public Library's commitment to the privacy and confidentiality of our users also is rooted in the ethics and practices of librarianship. In accordance with the American Library Association's 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."

Notice & Openness: Library users have the right of "notice"—the right to be informed about policies governing the kind of information the library collects, why the information is necessary to provide library services, how long the library retains the information, and how the library disposes of it. Such policies are freely available to all library users. Hard copies are available free of charge (one copy per person) upon request at the library's circulation desk.

Choice & Consent: MPL library will keep personal information confidential and will not sell, license or disclose personal information to any third party without the user's consent, unless the library is compelled to do so under the law or to comply with a court order. If a user wishes to receive borrowing privileges, the library must obtain certain information about the user in order to provide him or her with a library account. When visiting the library web site or using the library's electronic services, the user may choose to provide their library card barcode and personal PIN to access certain services. The user has the option of providing the library with their e-mail address for the purpose of receiving notifications about their library account. The user may request that the library remove their e-mail address from your account at any time.

The library never sells, uses or shares the personally identifiable information provided to the library in ways unrelated to the ones described above without also providing the user an opportunity to opt out

or prohibit such uses, unless the library is compelled to do so under the law or to comply with a court order. MPL maintains lists of individual email addresses gathered for the purpose of communicating back to the patron about overdue notices, reserved items, account expiration dates, and upcoming library events. The library will not share email address information with outside organizations. The only exception to this procedure will be in cases where an individual has clearly consented that their email information can be shared with a specific organization.

Access by Users: Users have the right to access their own personally identifiable information. This right of access covers all types of information gathered about a library user or about his or her use of the library, including mailing addresses, circulation records, computer use logs, etc. Access to personal information is available onsite with some type of photo identification or through secure online access.

Library staff shall comply with requests by a library user for any library record that identifies that user and library staff may require such request be in writing. Library staff may require photo or other identification to verify the identity of the person making the request, before releasing the information.

The parent or legal guardian of a minor may request library records that identify the minor. Library staff may require photo or other identification to verify the identity of the person making the request, and/or legal proof of guardianship, before releasing the information.

Library staff will not release any personally identifiable information contained in any library record to any other party without the express written consent of the person identified in the library record, or the express written consent of the parent or legal guardian of the minor identified in the library record.

Data Integrity & Security: Data Retention: The library protects personally identifiable information from unauthorized disclosure once it is no longer needed to manage library services. Hard copy circulation records (for example, interlibrary loan records) are shredded after materials are returned and/or fines or fees paid in full. **Third Party Security:** The library ensures that all of MPL's contracts, licenses, and offsite computer service arrangements reflect library policies and legal obligations concerning user privacy and confidentiality. Should a third party vendor require access to MPL users' personally identifiable information, the library's agreements with the vendor shall address appropriate restrictions on the use, aggregation, dissemination and sale of that information, particularly information about minors including obtaining the necessary consent of MPL users. In circumstances where there is a risk that personally identifiable information may be disclosed, it is the library's obligation to warn users. When connecting to licensed databases outside the library, the library releases only information that authenticates users as "members of our community." Nevertheless, the library advises users of the limits to library privacy protection once they leave the library web site to access remote sites not under the library's control.

Enforcement & Redress: The library may conduct privacy audits to ensure that all library programs, services and employees are in compliance with this policy. Library users who have questions, complaints, or concerns about the way the library handles their privacy and confidentiality rights should send their comments in writing to the Library Director. The Director will respond in a timely manner and may conduct a privacy investigation or review of policy and procedures.