

## Policy Title: Privacy Policy

### Effective Date: February 14, 2022

“In a library (physical or virtual), 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. Confidentiality extends to “information sought or received and resources consulted, borrowed, acquired or transmitted” (*ALA Code of Ethics*), including, but not limited to: database search records, reference questions and interviews, circulation records, interlibrary loan records, information about materials downloaded or placed on “hold” or “reserve,” and other personally identifiable information about uses of library materials, programs, facilities, or services.” <http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy> Adopted

*June 19, 2002, by the ALA Council; amended on July 1, 2014*

#### DEFINITIONS:

- **Privacy** is your right to seek information through Library resources without having the subject of your interest known or examined by others.
- **Confidentiality** exists when the Library possesses personally identifiable information about you and keeps that information private on your behalf.
- **Personally identifiable information (PII)** covers a greater range than “personal identification,” such as an individual’s name, address, telephone number, social security number, driver's license number, e-mail address, etc. PII connects you to what you bought with your credit card, what you checked out with your library card, and what Web sites you visited. More than simple identification, PII can build up a picture of your tastes and interests.

**Flagler County Public Library is committed to protecting the privacy and confidentiality of patrons at our library or using our website.**

- Confidentiality extends not only to materials consulted or borrowed, but also to a patron’s identity as a library user, information sought or received, database search records, reference interviews, interlibrary loan records, and other personally identifiable uses of library materials, facilities, or services.
- Privacy is the right to seek information through library resources without having the subject of your interest known or examined by others. Confidentiality exists when a library is in possession of personally identifiable information about individuals and keeps that information private on their behalf
- Personally identifiable information may consist of, among other things, a patron’s: name, address phone number, library card number and e-mail address.

- The courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution. This library's privacy and confidentiality policies are in compliance with applicable federal, state, and local laws.
- With technology changes, increased incidence of identity theft and the US Patriot Act, we feel that you have the right to know when any library transaction creates a record of personally identifiable information, and how such information is used and its confidentiality protected. Our library will not share data on individuals unless required by law.

## RELEVANT LAWS

### USA PATRIOT Act (Public Law 107-56):

Although the Library makes every effort to protect your privacy through compliance with state law and through local practice, under the federal USA PATRIOT Act records of your library activities (including materials you borrow and your computer workstation usage) may be obtained by federal agents. That federal law prohibits Library staff from informing you or anyone else if federal agents have obtained records about you. Additional information is available from the American Library Association webpage "[The USA Patriot Act in the Library.](#)"

### Confidentiality of Registration and Circulation Records — Florida Statutes Section 257.261:

1. All registration and circulation records of every public library, except statistical reports of registration and circulation, are confidential and exempt from the provisions of s. 119.07(1) and from s. 24(a) of Art. I of the State Constitution.
2. As used in this section, the term "registration records" includes any information that a library requires a customer to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information that identifies the Customers who borrow particular books and other materials.
3. (a) Except in accordance with a proper judicial order, a person may not make known in any manner any information contained in records made confidential and exempt by this section, except as otherwise provided in this section.  
 (b) A library or any business operating jointly with the library may, only for the purpose of collecting fines or recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the library, disclose information made confidential and exempt by this section to the following:
  1. The library patron named in the records;
  2. In the case of a library customer less than 16 years of age, the parent or guardian of that customer named in the records;
  3. Any entity that collects fines on behalf of a library, unless the customer is less than 16 years of age, in which case only information identifying the customer 's parent or guardian may be released;
  4. Municipal or county law enforcement officials, unless the customer is 16 years of age, in which case only information identifying the customer 's parent or guardian may be released; or
  5. Judicial officials.
4. Any person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

## LEGAL PROTECTIONS & EXCEPTIONS

Privacy of library registration and circulation records is protected under Florida Statutes Section 257.261, above. This information is used when you choose to request or borrow materials or services, or to authenticate eligibility for access to Library public access computers. The Library is committed to only permitting authorized staff to see personally identifiable information stored in the Library's files and computer systems.

Some of your personally identifiable information may not remain confidential if fines, charges, or fee transactions must be forwarded to an agency for collection, or if the Library is processing your request for items or services from another library or provider. The Library does not give, share, sell or transfer any personally identifiable information to third parties except with your specific consent, to conduct Library business, or *unless required to do so by law*. (See USA PATRIOT Act, above.)

## CUSTOMER INFORMATION COLLECTED

When you choose to provide personally identifiable information to us in order to conduct a library transaction, we collect only the minimum amount of personal information required to process your request. Elements of this information, with the personal links stripped out, may be used to develop internal statistical reports. Examples of personally identifiable information which may be required to process a Library transaction include:

- Full Legal Name
- Mailing address – (If P.O. Box is mailing address then a physical address is required for proof of residency)
- Telephone number
- Birthdate
- Library card number
- Email address (optional)
- Driver's License Number (A picture ID is required if customer does not have a Driver's License)

## LIBRARY WEBSITE

The Library website is governed by this Privacy Policy and our [Internet Use Policy](#). We collect non-personal information from visitors to the website for statistical analysis only.

## EXTERNAL WEBSITE LINKS

Our website contains links to external websites and licensed databases. The Library is not responsible for the privacy practices, security or content of these external sites. We recommend that you familiarize yourself with the privacy and security information for any site you visit.