

Mt. Zion District Library Personal Records Confidentiality Policy

Introduction

The Personal Records Confidentiality Policy is intended to present Mt. Zion District Library's policies regarding the information we collect about our library patrons and the safeguards that are in place to ensure your privacy. Laws governing confidentiality of library records can be found in the Illinois Compiled Statutes at 75ILCS 70/1. A copy of this law is available from the Library.

WHY personal information is collected

The library collects personal information in order to issue a library card to qualified district residents. Library cards are required in order to provide customers with library related services. We also use this data to provide you with information about the library on a regular basis. This information is housed on a secure server at the Illinois Heartland Library System (IHLS).

WHAT type of information is collected

- name
- address
- town and zip code
- phone number
- email address
- Illinois Driver's License number or state-issued ID
- Birthdate

WHO has access to this information

- only authorized library personnel in this institution
- authorized library personnel at other IHLS member libraries
- collection agencies or the library's legal counsel if necessary to collect a debt owed to the library
- all information is subject to subpoena by authorized law enforcement personnel

HOW LONG does the library keep this information

- library cards are issued for a 3-year period; expired cards and associated personal information are purged from the database once per year, unless the account is delinquent
- library cards may be renewed by the patron on or before the card's expiration date. Any changes in personal information will be updated at that time.

Use of email:

Mt. Zion District Library uses email whenever possible to communicate with its library customers to inform them of materials waiting for them at the library, overdue materials, and programs and services available to them. We do not share, sell or otherwise give out any email addresses to any third party.

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Mt. Zion District Library Policy and Procedures in Response to the USA Patriot Act of 2001

The Mt. Zion District Library (MTZDL) supports the President of the United States and congressional leaders in our nation's efforts to preserve and protect the many hard-fought freedoms we enjoy as Americans.

Public libraries are facing a dilemma of having the responsibility of protecting the privacy of our patrons while responding to legitimate national security concerns. This library recognizes the confidentiality of information sought or received and materials consulted, borrowed or acquired by a library user.

This library strives to create an environment that is:

- Crime free
- Safe
- Conducive to learning and pursuing knowledge and information on any topic

The library will do its utmost to uphold the privacy and confidentiality of patrons' free access to information. The library will rely on existing laws and library policies to control behavior that involves public safety or criminal behavior.

About the USA Patriot Act of 2001

HR-3162 became Public Law 107-56 in response to the events of 9/11/2001. The full title is: **Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001.**

The Act may provide law enforcement broader boundaries when investigating information accessed and transmitted by patrons with regards to national security concerns.

Access to patron information may include, but is not limited to:

- Database Search Records
- Circulation Records
- Computer Use Records
- Inter-library Loan Records
- Reference Interviews

Mt. Zion District Library Policy and Procedure Regarding Information Access and Confidentiality

Database Search Records: These records refer to the searches of the collection a patron may conduct on the Online Public Access computers (OPAC). These searches are conducted by utilizing the library's automated circulation system. Once a search is conducted, the software does not retain a copy.

Circulation Records: Patron material is circulated via an automated circulation system which tracks materials currently checked out, automatically erasing a reader's borrowing record once an item is returned and all fines are paid.

Computer Use Records: When a patron needs to use a computer, they are required to check in at the desk so staff can verify that we have a current Internet Access Policy Agreement* on file for the person. They are then assigned to a computer and their name written down on a paper log. This log is kept for a maximum of 1 month and then destroyed. Software installed on each public access computer erases all history when the computer is shut down. Library computers are shut down each day at closing.

***Internet Access Policy Agreement:** MTZDL requires anyone accessing the Internet (whether on the library's computers or the patron's own computer using the library's wi-fi) to read and sign an Internet Access Policy Agreement.

Inter-Library Loan Records: Patrons may borrow items not owned by MTZDL from other libraries worldwide via Inter-Library Loan (ILL). The MTZDL tracks items currently being borrowed and generates a paper record with patron information. Once the materials are returned and all appropriate fines and/or fees are paid, the paper record is destroyed.

Reference Interviews: A reference interview occurs when a patron looking for information approaches a library staff member and staff questions or interviews the patron in order to narrow down the specific information needed. No paper record is kept during the interview that has any patron information on it. If a patron's information is taken in order to contact the patron once requested information is obtained for them, the paper record is destroyed once the requested information is conveyed.

The MTZDL Policy and Procedure for Complying with Law Enforcement

The MTZDL staff will comply with law enforcement when supplied with legal subpoena or warrant.

Staff Procedures:

If anyone approaches you alleging to be a law enforcement official requesting information, do not disclose any information to the individual. Immediately contact the Library Director or the person in charge at the time. The director will ask to see official identification and will photocopy the ID.

If law enforcement present a subpoena, library staff should direct that person to the director or designee who will in turn direct the subpoena to legal council.

If library staff is presented with a warrant, do not interfere with their search and seizure. Contact the director as soon as possible.

Keep a record of all legal requests.
Keep a record of all costs incurred by any search and/or seizures.
If a “Gag Order” is not in effect, the director will notify the American Library Association.

Have requesting Officer fill out the “Officer’s Request for Confidential Library Information Available in Appendix L of Serving Our Public 3.0: Standards for Illinois Public Libraries published by the Illinois Library Association. Copies are included in this Policy Manual)

The Library follows the *ILLINOIS LIBRARY RECORDS CONFIDENTIALITY ACT* Emergency Release of Information Identifying Individuals Pursuant to Public Act 95-0040

The *Illinois Library Records Confidentiality Act* requires a court order before a library may publicly release information contained in library registration or circulation records. Public Act 95-0040 created an exception to the requirement for a court order if ALL of the following conditions are met:

- 1. The information is requested by a sworn law enforcement officer who states that it is impractical to get a court order as a result of an emergency situation;**
- 2. The law enforcement officer states that there is probable cause to believe that there is imminent danger that someone will be physically harmed;**
- 3. The information requested is limited to only identifying a suspect, witness, or victim of a crime; and**
- 4. The information does not include any registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library.**

Public Act 95-0040 also provides that “if requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section.”

Emergency Disclosures of Communication

If in the normal course of business, the library staff observes what can be reasonably construed to be a threat of imminent danger to life and limb, they are to contact law enforcement immediately. They should then contact the director or designee and fill out an Incident Report.

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