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## Administrative Rules

### Rule 2.0 – Customer Privacy and Confidentiality

Created: 11-16-2021  
Approved: 10-17-2022

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#### Overview and General Rule

##### I. OBJECTIVE

Deschutes Public Library (DPL) affirms that all people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their use of the library and its services and resources.

DPL customers' right to privacy in a physical or virtual library is the right to inquire, browse, explore, and discover information without the subject of a customer's interest examined or scrutinized by others.

Confidentiality exists when DPL gains possession of personally identifiable information and keeps that information private on the customer's behalf. Confidentiality extends to "information sought or received and library resources consulted, borrowed, acquired or transmitted" including, but not limited to, any personally identifiable information about library materials, programs, facilities, or services browsed, accessed, visited, used, or borrowed by an individual.

##### II. RULES AND REGULATIONS

This policy applies to all DPL customers including but not limited to: library customers, library staff, volunteers, library board members, affiliates, visitors and presenters. DPL will not collect or retain private and/or personally identifiable information without the customer's consent.

- A. State law protects your library records from disclosure if a member of the public or the media requests them.
- B. Individuals may be required to submit personal information, including but not limited to: names, email addresses, postal addresses or telephone numbers in order to receive some library services, such as registering for library cards, requesting materials, receiving responses to questions, or subscribing to DPL mailing lists. Customers consent to use of this information for library operational purposes.
- C. DPL library records containing personally identifiable customer information of a registered customer will not be provided to a third party, subject to the exceptions stated in Section III of this policy.
- D. Any DPL library record(s) that identifies a customer as having requested or obtained materials or services shall only be released to the customer who requested or obtained the materials or services.

- E. Information the library may gather and retain about customers includes the following:
- Records of material currently checked out, charges owed, payments made, materials requested
  - Records of electronic access information such as the daily card log onto library public computers
  - Requests for interlibrary loan or in-depth information service(s)
  - Registration information for library classes, programs, and events
  - Aggregated information about library website pages visited and topics searched for (does not contain personally identifiable information)
- F. DPL expects all customers to uphold the privacy and confidentiality rights of fellow customers.

### **III. EXCEPTIONS**

Any person(s) requesting access to records under this policy may be required to submit proof of identification and/or other forms of documentation that DPL deems necessary for the implementation of this policy. Library records including but not limited to circulation history, name, addresses, phone number and/or email may be disclosed to other parties in the following circumstances:

- A. To law enforcement officials under provisions of state law, the USA PATRIOT Act or in a lawsuit and/or subpoena. DPL staff may be forbidden from reporting to you that your records have been requested or obtained under provisions of the USA PATRIOT Act.
- B. To third parties, when it is necessary to provide delivery of specialized services to library customers. Customers are encouraged to read and become familiar with the privacy policies of third parties.
- C. Records may be disclosed when necessary for the reasonable operation and safety of the library, customers, staff, or property.
- D. Records may be disclosed to the parent or legal guardian of a minor if the parent or legal guardian is registered as such in the minor's library record.

### **IV. CUSTOMER RESPONSIBILITY**

- A. It is the customer's responsibility to protect their library card and password(s). DPL should be notified immediately if a library card is lost or stolen or if a library card or card number is being used without permission.
- B. The customer is responsible for keeping library account information accurate and up-to-date.
- C. The customer is responsible for logging out of DPL computers, printers, and self-check kiosks after use.
- D. Parents, Legal Guardians, and Minors  
DPL respects the privacy of all library customers regardless of age. Parents or legal guardians of a minor must be registered as the parent or legal guardian on a minor's account before DPL will provide access to a minor's library records, including the number or titles of materials checked out, overdue or money owed. When requesting access to a minor's account, the registered parent or legal guardian, must provide proof of their identification.

## V. DATA SECURITY

DPL makes no guarantee beyond using reasonable efforts to secure electronic data. There are limits to the privacy protection DPL can provide when accessing remote or third party vendor sites. DPL takes reasonable steps to assure data security, privacy and confidentiality by:

- A. Electronically purging or manually shredding data that is not needed for library business purposes.
- B. Automatically purging customer records that have been unused for over three years from DPL's library systems.
- C. Removing personally identifiable information from aggregate, summary data.
- D. Regularly removing cookies, browsing history, cached files, or other computer and internet use records that are on DPL computers or networks. Electronic access information records are cleared nightly.
- E. Storing data on secure servers or computers and taking other reasonable precautions to protect DPL's network from security breaches.

## VI. LIBRARY SURVEILLANCE AND FILMING

DPL uses digital video surveillance for safety and security purposes at its library locations and properties. Digital video is retained for approximately 7 days and is only available to view by authorized DPL staff and/or law enforcement officials under applicable state law, subpoena, and/or with approval of the Director or Assistant Director.

Personal, commercial or amateur filming or photography in the library must not include any personally identifiable information about library customers or staff without their consent. **See Admin Rule 2.1 Photography, Recording, and Filming.**

## VII. ILLEGAL ACTIVITIES EXCLUDED

This privacy policy in no way should be seen as authorizing illegal conduct or protecting customers engaged in crimes. Nothing in this policy prevents DPL staff from exercising its right to enforce its Customer Code of Conduct, protect its facilities, network and equipment from harm, or prevent the use of library facilities and equipment for illegal purposes.

DPL Staff and/or contracted security personnel are authorized to take immediate action to protect the security of library customers, staff, facilities, property, computers, and the network. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.

## VIII. APPEAL PROCEDURE

Library customers who have questions, concerns or complaints regarding DPL's privacy and confidentiality policies should request to speak to a library supervisor or manager. DPL staff will respond in a timely manner to the customer concern or complaint, according to **Admin Rule 1.0.2 Reconsideration of Library Services.**

## Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, age, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

## Code of Ethics of the American Library Association

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

- I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
- II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- III. 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.
- IV. We recognize and respect intellectual property rights. V
- V. We treat co-workers and other colleagues with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
- VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
- VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
- VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted June 28, 1995, by the ALA Council