



## Policy 3005: Privacy and Confidentiality

Adopted: *February 24, 2016*

Reviewed/Revised: *January 27, 2021; July 19, 2023*

### I. Purpose

The Board of Library Trustees and staff of the Algonquin Area Public Library District (AAPLD) are committed to safeguarding the personal information that the Library collects about its users. The confidentiality of library records is a core component of library ethics, and the Algonquin Area Public Library follows the Code of Ethics of the American Library Association. 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. Privacy is essential to the exercise of free speech, free thought, and free association.

### II. Library User Records

Confidentiality and access to library user records is guided by the Library Records Confidentiality Act and this policy.

#### A. Confidentiality

Under the Illinois General Assembly Library Records Confidentiality Act, ILCS Chapter 75, Section 70: *"The registration and circulation records of a library are confidential information. No person shall publish or make any information contained in such records available to the public unless: (1) Required to do so under a court order; or (2) The information is requested by a sworn law enforcement officer who represents that it is impractical to secure a court order as a result of an emergency where the law enforcement officer has probable cause to believe that there is an imminent danger of physical harm. The information requested must be limited to identifying a suspect, witness, or victim of a crime. The information requested without a court order may not include the disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library. 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."*

Confidentiality extends to information sought or received; a material consulted or borrowed; and includes database search records, reference interviews, circulation records, interlibrary loan transactions, registration records, and all other personally identifiable uses of library materials, equipment, facilities, or services.

#### B. Access to Records

Access to library user records is limited to library staff, the specific individual who has registered for a library card, and the parents/legal guardians of minor children under the age of 18 years. Registered cardholders making a request for account information in person must present their library card, or a photo identification card and verification of

the phone number in the database. Registered cardholders making a request for account information by phone must provide their library card number and verification of the phone number listed in the database. A parent/guardian of a minor child making a request for account information must present the child's library card, or a photo identification card and verification of the phone number in the database.

Account information is also available through the patron interface of the library database using the library card number and a password. All registered cardholders are strongly encouraged to create and keep secure their own personal password.

### **III. Types of Information Collected**

AAPLD collects and maintains personal information for each user in two categories:

#### **A. Permanent Data:**

- Name
- Address
- Telephone numbers (work, cell phone and/or home)
- Email address
- Birth year
- Payment received
- Last date of use
- Total number of items checked out (no item details are collected in this data set)

#### **B. Temporary Data:**

- Items checked out to the account
- Reserved materials
- Any fees

Temporary data is purged on a regular basis with an automated process in the integrated library system (ILS) when it is no longer needed. When items are returned to the Library and checked in, the record of that loan is erased from the account, unless the patron has incurred fees associated with that item or the patron has opted in to having that information collected and retained. A tally of total checkouts is kept without additional item details.

Additional information that is collected includes registration for programs and computer use. This information is used for statistical purposes only and is purged when no longer needed.

### **IV. Release of Information**

Circulation, registration information, and information retrieval records may not be disclosed except to:

- The cardholder (with library card or other proper ID).
- The parent or legal guardian of a child under the age of 18.

- Staff of the Algonquin Area Public Library to conduct its normal business. This includes releasing information when necessary to a collection agency to recover unreturned items or collect fees.
- Representatives of any local, state, or federal government, pursuant to subpoena or search warrant authorized under the authority of federal, state, or local law relating to civil, criminal, or investigative power.

The Library occasionally conducts promotional campaigns to inform the community of our services. For those activities, the Library may use patron email or postal addresses from patron account information. The Library uses address, last activity, and total number of checkout information to monitor community trends of library usage. Data is used in aggregate and cannot be connected to an individual user.

The Library does not sell, lease, or otherwise distribute or disclose patron name, email address, postal address, telephone number, or other personal information to outside vendors or third parties.

## **V. Confidentiality of Website and Social Media Sites**

When patrons visit the Algonquin Area Public Library website, the Library collects and stores information used to measure the number of visitors to different areas of the website to assist in making the website more useful to users. This information includes:

- the address (IP) of the patron's computer or Internet provider;
- the date and time the patron accessed our website;
- the pages that are accessed and how patrons navigate the website;
- the Internet address of the website that referred the patron to the Library's website.

Website data is separate from individual library account data. The Library cannot look up patron library records to determine what websites were visited.

### **A. Cookies**

A cookie is a small data file written to a device's storage. They are generated by websites to provide users with a personalized and often simplified online experience. Certain third party database services within the Library's website, such as the Library's subscription databases, may generate and store cookies on user's device storage if users engage in such services. If users choose not to accept the cookies generated by such third party database applications, they may not be able to use some of those services online; use of the remainder of the Library's website will not be affected.

### **B. Web Forms and Email**

If a patron initiates a reference inquiry by email or live chat, subscribes to the Library's newsletter, or submits a form on the Library's website, this information is considered as part of the library record and is protected as outlined above.

Online purchase or program suggestions, general email, and some other forms of correspondence to or with the library which do not apply to borrowing or intellectual pursuits may be considered public records under Illinois State Law, ILCS Chapter 75.

### **C. Leaving the Algonquin Area Public Library Website**

AAPLD's website contains links to external websites not maintained by the Library. The Library cannot be responsible for user privacy when visiting outside websites. Please consult the privacy policies of those websites should there be questions regarding their use, and be mindful when asked to disclose personal information.

### **D. Your Consent**

By Using the AAPLD website, you consent to our collection and use of your personal information as described in Section V of this policy. Changes to this policy may happen without notice; however, you may view the most up-to-date version of this policy at any time on the AAPLD website or by requesting a print copy.

## **VI. Confidentiality of Payment Information**

The Library is compliant with the Payment Card Industry Data Security Standard (PCI DSS). It does not store cardholder data in electronic format, nor does it process or transmit any cardholder data on its systems or premises. Retention of cardholder data, if any, is limited to paper reports or receipts that do not contain full credit card numbers, expiration dates, PINS, or other sensitive information.