



LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT POLICY

Customer Privacy Policy

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Introduction

Privacy is essential to the exercise of free speech, free thought, and free association. At the Las Vegas-Clark County Library District (Library District), the right to privacy means 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.

The courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution. Many states provide guarantees of privacy in their constitutions and statute law. Numerous decisions in case law have defined and extended rights to privacy. This library's privacy and confidentiality policies are in compliance with applicable federal, state, and local laws.

Customer rights, and the Library District’s responsibilities outlined here, are based in part on what are known in the United States as the five "Fair Information Practice Principles." These five principles outline the rights of Notice, Choice, Access, Security, and Enforcement.

The Library District’s commitment to customer privacy and confidentiality has deep roots not only in law but also in the ethics and practices of librarianship. In accordance with the American Library Association’s Code of Ethics:

The Library District protects each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted.

Las Vegas-Clark County Library District’s Commitment to Customers’ Rights of Privacy and Confidentiality

This privacy policy explains library customers’ privacy and confidentiality rights, the steps the Library District takes to respect and protect customer privacy when using library resources, and how the Library District deals with personally identifiable information that it may collect from customers.

The Board delegates to the Executive Director the authority to set administrative practices regarding the requirements of library customers to present identification including a verifiable address of residency as a condition of borrowing Library District materials and use of various library services.

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Administrative practices and identification requirements are intended to protect Library District resources from abuse, theft and damage by enabling Library District staff to recover unreturned library materials and other resources or fees associated with their abuses, loss and damage.

The administration should only require such personal information as necessary to enable recovery of said resources and expenses associated with their recovery and hold all such information as private and confidential subject only to limitations set forth by federal and state statutes.

1. Notice and Openness

The Library District affirms that its customers have the right of “notice” — to be informed about the policies governing the amount and retention of personally identifiable information, and about why that information is necessary for the provision of library services.

In all cases the Library District avoids creating unnecessary records. The Library District avoids retaining records not needed for the fulfillment of the mission of the library and does not engage in practices that might place information on public view. The Nevada Revised Statutes Chapter 239 limits the Library District’s authority to establish policy regarding the disposition of certain public records. Federal law, including the U.S. Patriot Act (October, 2001), may further limit the State of Nevada’s and the Library District’s ability to protect the confidentiality of customer records. NRS Chapter 239.013 provides:

Any records of a public library or other library which contain the identity of a user and the books, documents, films, recordings or other property of the library which he used are confidential and not public books or records within the meaning of NRS 239.010. Such records may be disclosed only in response to an order issued by a court upon a finding that the disclosure of such records is necessary to protect the public safety or to prosecute a crime.

In accordance with NRS 239, the Library District will not retain any records pertaining to a customer’s use of library resources longer than necessary to provide appropriate stewardship of those resources. This policy applies to library circulation records, tape backups, financial records pertaining to payment for lost or damaged materials, computer use records and all other records linking a customer’s personally identifiable information to the library resource used.

Example: Library District records that link a customer’s identity to the use of library materials will be expunged upon the return in good standing of loaned materials to the Library District.

2. Choice and Consent

The Library District will not collect or retain private and personally identifiable customer information without the customer’s consent. Further, if a customer consents to provide personally identifiable information, the Library District will keep it confidential and will not sell, license or disclose personal information to any third party without customer consent, unless compelled to do so under the law or to comply with a court or other enforceable order presented by a law enforcement agency. Such orders are to be presented to the Executive Director or his or her designee and will be reviewed by counsel to assure compliance with applicable law prior to release of customer information.



In order to provide borrowing privileges, the Library District must obtain certain information about its customers. When visiting the Library District's website and using the Library District's electronic services, a customer may choose to provide his or her name, email address, library card barcode, phone number or home address.

A customer has the option of providing an email address for the purpose of notification about their library account and may request that the Library District remove the email address from his or her record at any time.

The Library District never uses or shares the personally identifiable information provided to it online in ways unrelated to the ones described above without also providing its customers an opportunity to prohibit such unrelated uses, unless the Library District is compelled to do so under the law or to comply with a court or other enforceable order as outlined above.

3. Access by Users

Individuals who use library services that require the function and process of personally identifiable information are entitled to view and/or update their information. To protect customer privacy, customers may only update personal information in person (except email address and PIN [personal identification number] online), and customers may be asked to provide verification of identity through a PIN or authorized identification card.

The purpose of accessing and updating personally identifiable information is to ensure that library operations can function properly. Such functions may include notification of overdue items, recalls, reminders, etc. Library District staff will explain the process of accessing or updating information so that all personally identifiable information is accurate and up to date.

4. Children's Information

In accordance with the Children's Online Privacy Protection Act (COPPA), the Library District's website does not collect or store any personal information, even in aggregate, about children under the age of 13. We will never disclose a child's personal information as full name, address, etc. ("information that would facilitate or enable the physical or online locating and contacting of a specific individual") without written approval from a parent or legal guardian.

Information gathered online or in person by the Library District for the summer Club Read program is maintained from the first of June through the end of September. This stand-alone platform/ software package is not a part of the Library District's website. Any information collected online in this system is for the sole, one-time purpose of registering for random prize drawings related to Club Read. Any contact made to award a prize is made through the parent, via the email address or phone number provided by the parent at time of registration. In September of the same year that the data is collected, all data related to Club Read is purged.

5. Data Integrity and Security



Data Integrity: The data collected and maintained at the Library District's libraries must be accurate and secure. The Library District takes reasonable steps to assure data integrity, including: using only reputable sources of data; providing the Library District's users access to their own personally identifiable data; updating data whenever possible; utilizing middleware authentication systems that authorize use without requiring personally identifiable information; destroying untimely data or converting it to anonymous form.

Data Retention: The Library District protects personally identifiable information from unauthorized disclosure once it is no longer needed to manage library services. Information that should be regularly purged or shredded includes personally identifiable information on library resource use, material circulation history, and security/surveillance tapes and logs.

Tracking Users: The Library District removes links between customer records and materials borrowed when items are returned or when a customer's use of services has been completed, and deletes records as soon as the original purpose for data collection has been satisfied. The Library District permits in-house access to information in all formats without creating a data trail. The Library District has invested in appropriate technology to protect the security of any personally identifiable information while it is in the library's custody, and ensures that aggregate, summary data is stripped of personally identifiable information. The Library District does not ask library visitors or website users to identify themselves or reveal any personal information unless they are borrowing materials, requesting special services, registering for selected services, programs or classes, or making remote use from outside the library of those portions of the library's website restricted to registered borrowers under license agreements or other special arrangements. The Library District discourages users from choosing passwords or PINs that could reveal their identity, including social security numbers. The Library District regularly removes cookies, web history, cached files, or other computer and Internet use records and other software code that is placed on the Library District's computers or networks.

Third Party Security: The Library District ensures through periodic audits that its contracts, licenses, and offsite computer service arrangements reflect the Library District's policies and legal obligations concerning user privacy and confidentiality. Should a third party require access to customers' personally identifiable information, the Library District's agreements address appropriate restrictions on the use, aggregation, dissemination, and sale of that information, particularly information about minors. In circumstances in which there is a risk that personally identifiable information may be disclosed, the Library District will warn the customer. When connecting to licensed databases outside the library, the Library District releases only information that authenticates customers as "members of the Library District's community." Nevertheless, the Library District advises customers of the limits to library privacy protection when accessing remote sites.

Cookies: Users of networked computers will need to enable cookies in order to access a number of resources available through the library. A cookie is a small file sent to the browser by a website each time that site is visited. Cookies are stored on the user's computer and can potentially transmit personal information. Cookies are often used to remember information about preferences and pages visited. A customer can refuse to accept cookies, can disable cookies, and remove cookies from his or her hard drive. The Library District's library servers use cookies solely to verify that a person is an authorized user in order to allow access to licensed library resources and to customize web pages to that user's specification. Cookies sent by the Library District's library servers will disappear when the



user's computer browser is closed. The Library District will not share cookies information with external third parties.

Security Measures: The Library District's security measures involve both managerial and technical policies and procedures to protect against loss and the unauthorized access, destruction, use, or disclosure of the data. The Library District's managerial measures include internal organizational procedures that limit access to data and ensure that those individuals with access do not utilize the data for unauthorized purposes. The Library District's technical security measures to prevent unauthorized access include encryption in the transmission and storage of data; limits on access through use of passwords; and storage of data on secure servers or computers that are inaccessible from a modem or network connection.

Staff Access to Personal Data: The Library District permits only authorized library staff with assigned confidential passwords to access personal data stored in the Library District's computer system for the purpose of performing library work. The Library District will not disclose any personal data the Library District collects about its customers to any other party except where required by law or to fulfill an individual customer's service request. The library does not sell or lease customers' personal information to companies, universities, or individuals.

Security Cameras: Security cameras are installed at various branch libraries to assist security personnel and staff in monitoring and quickly responding to situations affecting the health and safety of library visitors and staff. Recordings from security cameras are stored no longer than 10 days, unless an incident occurs that requires holding the entire recording or a portion of the recording longer. Security camera recordings are only made available to law enforcement through a legal subpoena or lawful court order. Library security cameras are limited to locations and uses that do not violate the reasonable expectation of privacy. Public use areas include, but are not limited to: the grounds, parking lots, entrances and interior hallways.

6. Enforcement and Redress

The Library District will not share data on individuals with third parties unless required by law as previously noted this policy. The Library District conducts periodic privacy audits in order to ensure that all library programs and services are enforcing the Library District's privacy policy. Library users who have questions, concerns, or complaints about the Library District's handling of their privacy and confidentiality rights should file written comments with the Executive Director of the Library District. The Library District will respond in a timely manner and may conduct a privacy investigation or review of policy and procedures.

The Library District authorizes only the Executive Director or her/his designee to receive or comply with requests from law enforcement officers, who will confer with the Library District's legal counsel before determining the proper response. The Library District will not make library records available to any agency of state, federal, or local government unless a subpoena, warrant, court or other enforceable order is issued and is in proper form. The Library District has trained all library staff and volunteers to refer any law enforcement inquiries to library administrators.

Adopted by the Las Vegas-Clark County Library District Board of Trustees on November 13, 2003; revised and adopted on April 16, 2009; revised and adopted on April 10, 2014.