

Privacy Policy

Policy #207

Section: Library Services

Adopted: June 17, 2004

Policy Statement:

The San Francisco Public Library champions the protection of personal privacy. Protecting library user privacy and keeping confidential information that identifies individuals or associates individuals with their use of library books, materials, equipment, programs, facilities, and/or staff assistance is an integral principle of the Library. This policy affirms the Library's commitment to privacy, explains the information that the Library collects, and alerts visitors to Library facilities and users of remotely accessed Library services to the privacy choices they face.

General

1. The Library will keep all such information that it purposefully or inadvertently collects or maintains confidential to the fullest extent permitted by federal state and local law, including the California Public Records Act (1), the San Francisco Sunshine Ordinance (2), and the USA PATRIOT Act(3).
2. To make this policy easy to find, the Library makes it available on the Library's Web site and at every point where personally identifiable information may be requested.
3. Protection of confidentiality extends to information sought or received, and materials consulted, borrowed, and received.
4. Protection of confidentiality includes database search records, circulation records, interlibrary loan records, and other personally identifiable uses of library materials, facilities or services.
5. The Library does not collect personal information about a library user when a user visits the Library's Web site, registers for a program, or registers for a library card unless the user authorizes the Library to have that information. The user has the option to participate or not participate.

1. Library records are protected under *California Government Code, Title 1, Division 7, Sections 6250-6270, Chapter 3.5.*

2. *San Francisco Administrative Code, Section 67*

3. *PL 107-56 - Uniting & Strengthening America by Providing Appropriate Tools Required To Intercept and Obstruct Terrorism (USA Patriot Act) Act of 2001*

6. Any information the library user chooses to provide will be used only to provide or improve library services, such as information gathered through voluntary library user surveys.
7. The Library protects library user account information by placing it on a secure server.

Library Cards and Circulation Records

8. To receive a library card, library users are required to provide identifying information such as name, birth date and mailing address. This identifying information is retained as long as the library user continues to use the library card.
9. A library user's library record includes current information, items currently checked out or on hold, as well as overdue materials and fines.
10. The Library does not maintain a history of what a library user has previously checked out once books and materials have been returned on time.
11. When fines accrue on a user's account, the Library does maintain records of items that have been borrowed but returned after the due date, or are still outstanding on the user's record. When overdue materials are returned and all associated fines are paid, the information associated with the library card number is deleted.

Radio Frequency Identification (RFID)

12. The only information stored on the RFID chip/tag will be limited to the item barcode or an encrypted number, as well as a security bit that indicates if the item is in or out of the library.
13. RFID technology will not be used for library cards.
14. All local, state and/or federal legislation relating to RFID and library usage will be fully complied with at San Francisco Public Library.

Public computer use and the Library's online system

15. The Library uses an online computer reservation program that allows the public to reserve a computer in order to access the Library's catalog, the Internet and other resources. The Library's public computer search stations are programmed to delete the history of a library user's Internet session and all searches once an individual session is completed. Booking history is deleted every day.
16. Searching by the barcode of library books and other materials is not available to the public.
17. The Library's online system offers library user self-activated features, using *View Your Record*, including email notification of new library materials

which contain library user saved search terms. Information gathered and stored using this feature is only accessible to the library user. There is no administrative interface to this information for library staff and, therefore, it is not retrievable by anyone other than the user. The user has the option to delete their search history at any time.

18. Any future enhancements to the Library's online system that may impact user confidentiality will not be activated by the Library.

Email, Web Forms, and Reference Questions

19. Information provided by a library user via email or Web forms will be used only for purposes described at the point of collection (for example on a Web form), such as to send information or provide library services to the library user, update information on the library user's record, or respond to a library user's questions or comments.
20. If contact information is provided, the Library may contact the library user to clarify a comment or question, or to learn about the level of customer satisfaction with library services.
21. The Library treats reference questions, regardless of format of transmission (in person, via telephone, fax, email or online) confidentially. Personal identifying information related to these questions is purged on an ongoing basis.
22. Email is not necessarily secure against interception and may be subject to disclosure requirements of the Public Records Act or other legal disclosure requirements.

Information Automatically Collected and Stored

23. As library users browse through the Library's Web site, read pages, or download information, certain information will be automatically gathered and stored about the visit, *but not about the library user*. The information gathered is for statistical purposes only to insure that the Library is providing appropriate services and does not personally identify any individual.
24. The Library automatically collects and stores only the following information about a visit, for statistical purposes:
 - The Internet domain and IP address from which access to the Web site is gained;
 - The type of browser and operating system used to access the Library's site;
 - The date and time of access to the Library's site;
 - The pages visited; and
 - The address of the Web site from which the initial visit to www.sfpl.org was launched, if any, as well as the address from which a visitor exits.

25. The Library uses this information to help the Library make the site more useful to visitors and to learn about the number of visitors to the site and the types of technology visitors use. The data that is collected is not connected to any personal information or identity.
26. The Library does not collect information about who library users are, and encourages library users to become familiar with privacy policies of the ISP that the user subscribes to and other sites visited.

Links to Other Sites

27. The Library's Web site contains links to other sites. The San Francisco Public Library is not responsible for the privacy practices of other sites, including providers of online database services for which the Library subscribes, which may be different from the privacy practices described in this policy. The Library encourages library users to become familiar with privacy policies of other sites visited, including linked sites.

Network Security

28. For Web site security purposes and to ensure that the service remains available to all library users, the San Francisco Public Library uses software programs that monitor network traffic to identify unauthorized attempts to upload or change information or otherwise cause damage. Anyone using the Library's Web site expressly consents to such monitoring. Except for the above purposes, no other attempts are made to identify library users or their usage habits⁽⁴⁾.

Working with Law Enforcement

29. Library records will not be made available to any agency of the state, federal or local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigatory power.

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT)

30. Sections 214-216 of this Act gives law enforcement agencies expanded authority to obtain library records, secretly monitor electronic communications and prohibits libraries and librarians from informing library users of monitoring or information requests.

4. Unauthorized attempts to upload information or change information are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and 18 U.S.C. Section 1001 and 1030.

31. The Library Commission and the San Francisco Board of Supervisors have formally opposed the Act, including Sections 214-216, in two separate resolutions. (appendices E and F)
32. On March 2, 2004, San Francisco voters codified the City's resistance to the federal USA PATRIOT Act with their approval of Proposition E. The charter amendment requires that any request for library, health or other personal records be routed through the Board of Supervisors instead of through City department heads. The supervisors will then decide whether the request is constitutional and whether to respond to it.

Appendices:

- A. *Code of Ethics*, American Library Association, June 1995
- B. *Privacy Statement*, American Library Association, July 1999
- C. *Privacy Report*, American Library Association, Library Information and Technology Association, Task Force On Privacy and Confidentiality in the Electronic Environment, July 2000
- D. *Privacy: An Interpretation of the Library Bill of Rights*, American Library Association, June 2002
- E. Resolution 53-03, Board of Supervisors, January 31, 2003
- F. Resolution 2/03 of the San Francisco Public Library Commission Protecting Library Users Rights to Privacy and Confidentiality, Library Commission, February 4, 2003