

## Privacy Policy

### A. PURPOSE

Durham County Library is committed to your privacy and the confidentiality of your library use. This commitment is one of the core principles of librarianship. As the American Library Association states, “The right to privacy – the right to read, consider, and develop ideas and beliefs free from observation or unwanted surveillance by the government or others – is the bedrock foundation for intellectual freedom. It is essential to the exercise of free speech, free thought, and free association.” Our commitment is also based in North Carolina state law, which provides for the confidentiality of library records. And it is what makes it possible for Durham County Library to fulfill our mission of encouraging discovery, connecting the community, and leading in literacy.

This policy explains how we handle the information we collect from you. Please ask a staff member if you have further questions – we’re here to help.

### B. POLICY

When you sign up for a Durham County Library account, we collect this information:

- Name
- Address
- Phone number
- Email address (optional; used for notifications and other library communications)
- Date of birth

You are assigned a barcode (the number shown on your library card) and a borrower number (used behind the scenes by our catalog software). You can choose a PIN, or if you do not, your PIN will be assigned as the last four digits of your phone number.

For most cardholders, your account remains in the system as long as it is active. An account becomes inactive when it hasn’t been used in three years and there are no outstanding fines or fees attached. At that point, it is deleted from our system. A few card types, such as non-resident cards, expire sooner – see our Registration Policy for details.

Your account also includes items you currently have checked out, holds, and fine history. Once you return an item, it is deleted from your account unless there is a fine attached.

If you pay for a fine or fee via credit card, we keep a record of the transaction for one year, but we never see or store your credit card number or other card details. During all in-person and online credit card transactions, data is transmitted via industry-standard encryption.

Third-party vendors such as OverDrive, hoopla, and RBDigital may keep a separate record of your borrowing history with them – see below for more information.

### **North Carolina General Statutes**

Your account information is protected by the North Carolina General Statutes, which include an article on the confidentiality of library user records. The relevant text states:

*Chapter 125. Libraries. Article 3. Library Records.*

§ 125-18. Definitions.

As used in this Article, unless the context requires otherwise:

(1) “Library” means a library established by the State; a county, city, township, village, school district, or other local unit of government or authority or combination of local units of governments and authorities; community college or university; or any private library open to the public.

(2) “Library record” means a document, record, or other method of storing information retained by a library that identifies a person as having requested or obtained specific information or materials from a library. “Library record” does not include nonidentifying material that may be retained for the purpose of studying or evaluating the circulation of library materials in general. (1985, c. 486, s. 2.)

§ 125-19. Confidentiality of library user records.

(a) Disclosure. – A library shall not disclose any library record that identifies a person as having requested or obtained specific materials, information, or services, or as otherwise having used the library, except as provided for in subsection (b).

(b) Exceptions. – Library records may be disclosed in the following instances:

- (1) When necessary for the reasonable operation of the library;
  - (2) Upon written consent of the user; or
  - (3) Pursuant to subpoena, court order, or where otherwise required by law.
- (1985, c. 486, s. 2.)

In summary, these statutes mean that we only disclose your borrower information when requested by you or required by law. This applies to questions you ask and programs you attend as well as items you check out.

### **Minors**

Our commitment to customers' privacy also includes that of children who use the library. We ask parents or guardians who need access to their child's account to use the child's library card or barcode and PIN.

Durham Public Schools students have access to Durham County Library via their DPS student ID. The Memorandum of Understanding between Durham County and DPS includes a section on the confidentiality of student records, which states that any "personally identifiable student information" that the library obtains "shall be subject to the confidentiality and disclosure provisions of applicable federal and state statutes and regulations, and DPS policies [...] DCL agrees that it shall solely use such student information for the purpose of providing eCard access to DCL databases and electronic materials services pursuant to this MOU. DCL further agrees that it shall limit access to only those employees or agents with a need to access such student information, and that it shall not re-disclose this information to any other party for any reason."

### **Vendors and Third-Party Services**

Durham County Library works with third-party vendors to provide many of our digital collections and other online services. The vendors we work with agree not to sell or share our customers' information. Beyond that, the privacy policy for each of these services is set by the vendor, and Durham County Library is not responsible for their use of your information. Some of those policies are linked here, although this list is not comprehensive.

Our catalog and account services are provided by [SirsiDynix](#).

These vendors provide digital items (such as ebooks and e-audio) that may be included in our catalog. If you check out one of those items, the vendor will retain that information as part of your borrowing history with them:

- [OverDrive](#). In addition to the information OverDrive collects about all checkouts, some OverDrive items are offered in the Kindle ebook format. To check out a Kindle item, you have to use an Amazon account, and your usage of that item will be tracked by Amazon.
- [hoopla](#)
- [RBdigital](#)

These vendors provide other online resources, such as databases of articles or online classes. Some of them may require you to create an account:

- [Ancestry](#)
- [Brainfuse](#)
- [EBSCO](#) (in addition to online databases, this also includes LibraryAware, which is used for our NextReads newsletter)
- [Encyclopedia Britannica](#) (provides ImageQuest)
- [Gale](#)
- [LearningExpress](#)
- [Lynda.com](#)
- [Muzzy](#)
- [NC LIVE](#)
- [New York Times](#)
- [NewsBank](#)
- [ProQuest](#)
- [TumbleBooks](#)
- [Universal Class](#)

**Other services:**

- [Beanstack](#) (used for the Summer Reading program)
- [Communico](#) (event registration and meeting room reservations)
- [Springshare](#) (provides LibAnswers, used for online ask-a-librarian chat and email forms)

**Our Website and Public Technology**

**Website and Catalog**

When you use our website, information about your visit is automatically collected by our computer servers and by Google Analytics. This information lets us measure

the use of our site for troubleshooting purposes and to help us improve the site. The information collected is in no way tied to your account. It includes:

- Your IP address
- Your browser, operating system, and device type
- Your location
- The date and time of your visit
- The pages that you viewed on the website
- Search terms that you used
- If you followed a link to our website, the URL of the site where the link was

Our website uses cookies, which are small files that are sent to your browser by a website and can transmit personal information. Our catalog and some of our vendor resources use cookies to verify that you are an authorized user. You can change the privacy settings of your browser to refuse to accept cookies, but this may mean that you're unable to use some of our online services.

### **Public Computing**

To use one of our public computers, you log on using your library card number. We do not keep a record of your activities during your session, such as browsing history, cookies, bookmarks, or downloads. The session data is automatically deleted from the computer after you log out. We do, however, keep a record of the fact that you logged on to that computer. As with the rest of your account information, we disclose your computer login history only when requested by you or required by law. For minors, only the parent or guardian of record can request this information. To request a minor's computer login history, the parent or guardian needs to provide proof of identity through photo identification, as well as the barcode number of the child's account.

Our printer system keeps a log of print jobs including the computer used to print, cost of the job, and timestamp. The logs do not contain customer information and are deleted periodically.

Your use of our public wifi network is not tracked. If you check out a wireless hotspot, the only information we receive about its use is total data usage. Our wireless hotspots transmit data via the Sprint network. As with other checkouts, we don't keep a history of your borrowing a hotspot once you have returned the device.

### **Other Information You Submit**

You may submit additional information to us while using specific library services, such as questions you ask library staff, interlibrary loan requests, purchase requests, event registrations, and meeting room reservations. Records of these interactions are deleted when no longer needed for library operations.

Durham County Library is subject to North Carolina General Statutes Chapter 132. Public Records. Any messages you send to library staff via email (including form submissions on our website) will be kept by Durham County according to public records retention schedules. The Library Records statute listed above means that information considered to be confidential library records will not be subject to public records requests, and this includes information sent via email.

### **Video Surveillance**

Some library branches have security cameras installed to improve safety for customers and staff. Surveillance footage is governed by the County Security Manager, and any requests for access must go through that office.

### **C. RESPONSIBILITY**

It is the responsibility of all library staff to understand this policy fully and to protect customer privacy by adhering to its requirements. Library staff will be trained on customer privacy requirements and procedures during onboarding and as needed afterward. Library staff will access customer information only for the purpose of providing library services.

Staff are required to direct all requests for customer data, including by law enforcement officials, to the Library Director. Decisions about releasing customer data are made exclusively by the Library Director in consultation with the County Legal Department.

It is the responsibility of the Technology Management Administrator and Deputy Director, with the advice of the Board of Trustees, to interpret, monitor, and recommend updates to this policy. The Library Director is the final authority in regard to enforcing this policy.

*Effective date: July 2019*