
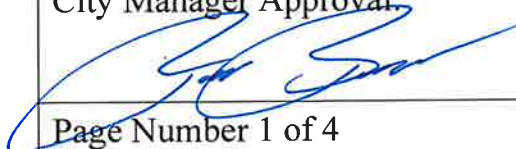


Monterey Park Bruggemeyer Library Policy	Policy Number: 22-01
	Issue Date: March 15, 2022
	Revised Date:
Subject: Patron and Student Privacy	Library Board of Trustees Review:  City Manager Approval:  Page Number 1 of 4
<p><u>Purpose:</u></p> <p>The City of Monterey Park ("City") is committed to promoting and protecting the privacy rights of Bruggemeyer Library ("Library") patrons with respect to personal information collected or maintained for the purposes of borrowing materials, using library resources, or registering for classes or programs; and information sought or received, and resources consulted, borrowed, acquired or transmitted.</p> <p>The City's policy is to safeguard the privacy of personal information by conforming its information management practices to the requirements of the Information Practices Act (Civil Code §§ 1798, <i>et seq.</i>), the Public Records Act (Government Code §§ 6250, <i>et seq.</i>), the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99); Government Code §§ 11015.5 and 11019.9; and other applicable California and federal laws protecting personal information.</p> <p><u>Policy:</u></p> <p>This policy establishes administrative policies and procedures to protect personally identifiable information contained in Library records or accessible in the Library or through its computer systems. The City does not share personally identifiable information with third parties, unless required by law. Library patrons who have questions, concerns, or complaints regarding the City's handling of their privacy and confidentiality rights should contact the City Librarian.</p> <p>I. Patron Information:</p> <p>The City may require the following personal information to access Library services:</p> <ul style="list-style-type: none"> • Name • Address • Telephone number • Driver's License number • Email address • Date of birth • Library barcode number • Items currently checked out, requested, cancelled holds, and interlibrary loans • Overdue items (until returned) • Fine history • Sign-up information for Library classes/events 	

This information is kept confidential and will be retained/deleted pursuant to the City's Records Retention Schedule. The City will not sell, license or disclose this information to any third-party, except those working under contract or as required by law.

Checkout history is stored in the Library system for five years. Patrons may override this in their account by limiting checkout history to one year. Missing and damaged items will remain on a patron's account until these fees are paid.

The City enters into agreements with third-party vendors to provide online services, digital collections and more. When utilizing a vendor's services, a patron's borrowing history may be anonymously collected as data to track trends in order to help make the City more useful. Personal information (name, address, etc.) is not tracked/collected. Most third-party vendors provide an option to disable tracking in their browsers. More information on these services and the types of data that are collected and shared, may be obtained through a vendor's terms of use and privacy policies.

The privacy and safety of minors is very important to the City. Personal information collected by the City is not shared with any non-contracted agency or vendor.

Mailing Lists. Individuals may submit their name, email address, postal address, telephone number or other identifying information to receive Library promotional materials or join specific mailing lists.

II. Access to Information:

All patron records are confidential. Library records may only be disclosed to any of the following:

- City staff acting within the scope of their duties within the administration of the library;
- Cardholders upon proof of identity;
- Parents or Guardians of minors under the age of 18, listed in the City's library records (limited access);
- Anyone with written consent of the cardholder (limited access); or
- Persons with a valid court order, subpoena or other legal documentation

"Limited access," as referenced above, includes only: the number of items checked out, due dates and any fines owed; no additional information will be given.

Library patrons may view and update their personal information online or in person. Proof of the patron's identity is required to update this information in-person; a personal identification number may be required to update this information online.

Personal information may be released to a law enforcement agency after presentation of a signed court order and/or under the provisions of the 2001 USA PATRIOT Act. Under provisions of that Act, the Federal Bureau of Investigation ("FBI") and law enforcement officials may seek court orders for City records for investigations relevant to national security or terrorism. Libraries or librarians served with these search warrants may not disclose, under penalty of law, the existence of the warrants or the fact that records were produced as a result of the warrants. Patrons cannot be told their records were given to law enforcement agencies or that they were the subjects of FBI investigations. Questions about the Act and its enforcement should be directed to the U.S. Attorney General, Department of Justice, Washington, D.C. 20530.

If a court order signed by a judge is issued for information, the City is obligated to supply the requested data. Subpoenas, court orders and other legal requests will be delivered to the City Clerk who will seek the advice of the City Manager and City Attorney and follow-up with the appropriate course of action.

III. Library Program, Tutoring or Class Records:

Family Educational Rights and Privacy Act (“FERPA”) (20 U.S.C. § 1232g; 34 CFR Part 99) protects the privacy of students enrolled in programs at the Library.

A parent or eligible student may inspect and review the student’s education records. A parent or eligible student must provide signed and dated written consent from the student before the City will disclose any personally identifiable information from the student’s education records.

This written consent must:

- (1) Specify the records that may be disclosed;
- (2) State the purpose of the disclosure; and
- (3) Identify the party or class of parties to whom the disclosure may be made.

“Signed and dated written consent” may include a record and signature in electronic form that (1) identifies and authenticates a particular person as the source of the electronic consent; and (2) indicates the student’s approval of the information contained in the electronic consent.

The City may disclose personally identifiable information from an education record of a student without the consent required only if the disclosure meets one or more of the following conditions:

- The disclosure is to other City staff members working at the Library, teachers or tutors, who are determined to have legitimate educational interests; or
- A contractor, consultant, volunteer, or other party to whom the City has outsourced institutional services or functions provided that the outside party:
 - Performs an institutional service or function for which the City would otherwise use employees; and
 - Is under the direct control of the City with respect to the use and maintenance of education records.

Records may also be made available to a law enforcement unit that is officially authorized or designated by the City to:

- (1) Enforce any local, State, or federal law, or refer to appropriate authorities a matter for enforcement of any local, state, or federal law; or
- (2) Maintain the physical security and safety of the Library.

IV. Computer, Database and Catalog Use:

While the City makes every attempt to uphold patron privacy by using deep-freeze software, firewalls, and anti-virus/anti-malware software, there is no guarantee of privacy using City computers. It is possible that others may view information on the screen, or they may view or capture keystrokes, etc., while users are accessing City computers. Also, it may be possible for personally identifiable information to be retrieved over the Internet and/or from Library computer systems, depending on the way the computers have been used and sites visited.

Computer Use Records. The City's computer stations at the Library are programmed to delete the history of a patron's internet session and all searches once an individual session is completed. The City does not use cookies or other tracking mechanisms that collect personally identifying information on its computers.

Online Public Access Catalog. The City's online public access Library catalog offers user activated features including search terms saved by the patron. Information gathered using this feature is only accessible to the patron and may not be retrieved by anyone else.

Library Website Use. The City may automatically collect and store only the following information, for statistical purposes, from a patron's use of the City's website:

- The Internet domain and IP address of the computer used to access the City's website;
- The browser and operating system used to access the City's site;
- The date and time of access;
- The subpages visited; and
- The address of the website from which the initial visit to the City's website was launched.

The City uses this data to make the website more useful to visitors and does not use this data to track or record information about individuals.

Library Electronic Resources and Databases. The City's providers of electronic resources and databases collect statistics such as how often they are used, and whether they are used in the Library or by remote access and the vendors provide the statistics to the City. Database vendors used by the City do not track personal information or specific queries submitted.

V. Surveillance at the Library:

The City operates closed circuit video cameras to enhance the safety and security of Library users, staff and property; these cameras are located inside and outside the Library. Additional information regarding library security cameras and footage can be found on the City's website.