

# Marion County Public Library System

## Privacy Policy

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### Introduction

Marion County Public Library System is committed to protecting the privacy and confidentiality of library users and patron records. The library shall ensure an individual's right to privacy concerning materials which are borrowed, as set forth in West Virginia Code Section 29-1-8(k).

### Custodian

The legal custodian of library records is the director, who is responsible for responding to any request for library records or information about a library patron. The director may designate one or more library employees to serve as person(s) responsible for responding to any request for library records or information about a library user when the director is unavailable.

### Confidentiality of Library Records

State law prohibits the disclosure of information about circulation records of the library and other records identifying the names of users and material used by them and shall be confidential, regardless of the inquiry. The prohibition includes patrons' addresses, phone numbers and anything else about them, with very few exceptions as defined in West Virginia Code Section 29-1-8(k) paragraphs (a)(1) through (3).

#### Exceptions:

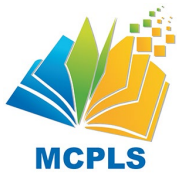
- To members of the library staff in the ordinary course of business;
- Upon written consent of the user of the library materials or the user's parent or guardian if the user is a minor or ward; or
- Upon appropriate court order or subpoena.

The circulation and registration records of the library shall not be made available to any third party nor any law enforcement agency of a local, state, or federal government except when a court order or subpoena in proper form is presented to the custodian by the law enforcement agency or person seeking the records.

### Terms used in this policy include:

- **Privacy** is the right to seek information through library resources without having the subject of interest known or examined by others
- **Confidentiality** exists when the library possesses personally identifiable information about patrons and keeps that information private on their behalf
- **Personally Identifiable Information** is information like name, library card number, email or mailing address and telephone number relating to patrons' accounts provided to the library

In general, patrons have the right to know when any library transaction creates a record of personally identifiable information and how such information is used and its confidentiality protected. Personal information will not be shared with third parties for marketing purposes.



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### Relevant Laws

Although the library makes every effort to protect patrons' privacy through compliance with state law and through local practice, under the federal USA PATRIOT ACT records of library activities (including materials borrowed and computer workstation usage) may be obtained by federal agents. That federal law prohibits library staff from informing patrons if federal agents have obtained their records. Additional information is available from the American Library Association webpage "The USA Patriot Act in the Library."

### Remote Access Databases

Many of the Library's electronic databases can be freely accessed from anywhere by anyone with an MCPLS library card. The vendors of some of these databases collect statistics such as the names of the databases used, 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 Library. Database vendors used by the Library do not track personal information or specific queries submitted to the databases. Patrons may have the option to create an account with one of these databases using their email address to save work or progress through a class. Whether to create an account with a vendor using an email address is left to the patron's discretion.

### Cookies on Library Workstations

Cookies are small text files placed on user computers by a Web site to enable customization of individual visits. Some Library electronic services, such as the Library Catalog and remote databases, set temporary cookies for current sessions. These cookies do not capture personal information and are deleted when sessions are ended. Visitors can refuse the cookie by using instructions provided in browsers. Refusing or disabling cookies may result in an inability to access some library services from computers within the Library.

The Library does not use cookies or tracking mechanisms that collect personally identifying information on its mcpls.org site or in its online catalog.