

Privacy Policy

1. Policy Statement

The Montague Public Libraries (MPL) endeavor to protect library patron privacy and to keep confidential any information that could identify patrons or connect patrons with their use of library materials, equipment, programs, facilities, and/or staff assistance. This policy affirms the library's commitment to patron privacy, explains the information that the library collects, and alerts visitors to MPL facilities and users of remotely accessed MPL services to the privacy choices they face.

The Montague Public Libraries supports and adheres to the American Library Association's "Policy on Confidentiality of Library Records," and ALA Council documents CD#19.3 "Resolution on the Retention of Library Usage Records" (see attached).

The library collects only the minimum personal information necessary to provide effective services for its users. Library records that identify MPL users by name are confidential. Such records will not be made available except as permitted in the Massachusetts General Laws, Chapter 180 of the Acts of 1988 (see attached), or with the explicit permission of the user in question or pursuant to judicial process, subpoena or court order.

The USA PATRIOT Act expands the federal government's authority for access to MPL records and documents to protect against international terrorism and clandestine intelligence activities. It also expands federal law enforcements' authorization to track telephone and electronic communication, including any dialing, routing, addressing, or signaling information and the actual content of the communication. This law prohibits library workers from informing users if federal agents have obtained records about them.

If a process, subpoena, or order is served on the Montague Public Libraries or its employees, the Library Director will consult with the Town of Montague's legal counsel to determine if such process, subpoena or order is in proper form and if any necessary showing has been made for its issuance. The Library Director will also notify the Library Trustees. The library shall, subject to legal advice, comply with the process, subpoena or order.

This policy applies to all MPL records, including but not limited to records related to the circulation of MPL materials, computer database searches, interlibrary loan transactions, reference queries, holds, use of restricted materials, or use of audiovisual materials.

2. General Guidelines

- The library will keep confidential all such information that it collects or maintains to the fullest extent permitted by federal, state and local law, including the Massachusetts General Laws, Chapter 180 of the Acts of 1988 and the USA PATRIOT Act. To make this policy easy to find, the library makes it available on the MPL website.
- Protection of confidentiality extends to information sought or received, and materials consulted, borrowed, and received.

- Protection of confidentiality includes database search records, circulation records, interlibrary loan records, and other personally identifiable uses of library materials or services.
- MPL patron information will be used only to provide or improve MPL services.
- MPL patron account information is located on the CW MARS' server and is protected under its [privacy policy](#).

3. Library Cards and Circulation Records

- To receive a library card, MPL patrons are required to provide identifying information such as name, mailing address, and email. This identifying information is retained as long as the library patron continues to use their library card. Long-expired library accounts are periodically purged from the system.
- Through the CW MARS network, a library patron's own record includes current information, items currently checked out or on hold, as well as overdue materials and fines.
- MPL does maintain record of items that have been borrowed but not returned or that have been returned in damaged condition. When lost items are returned or any fees associated with loss or damage are paid, the information about those items will be deleted.
- MPL typically sends overdue notices via email or by mail, but occasionally telephones. The library notifies users via telephone or email when requested items are ready for pickup.
- The library does not sell, lease or otherwise distribute or disclose usernames, email addresses, postal addresses, telephone numbers, or other personal information to outside parties.

4. Public computer use and the Library's Online Public Access Catalog (OPAC)

- Computer use at the Carnegie Library is tracked using paper sign-in sheets to ensure that all patrons who need to use a computer are allotted time to do so. These sign-in sheets require only a first name and sign-in sheets are not kept.
- The library's public computer browsers are set to delete the history of an MPL user's internet session and all searches once the browser is closed.
- All files saved to public computer stations and any record of computer activity are automatically deleted when computers are shut down at the end of the day.
- The Library's OPAC offers MPL patrons self-activated features, such as My Reading History. Information gathered and stored using this feature is only accessible to the library user. This information is not retrievable by anyone other than the user. The user has the option to delete their reading history at any time.

5. Reference Questions, Distance and In-house

- The Montague Public Libraries treat reference questions, regardless of format of transmission (in person, via telephone, or email) confidentially.

- Information provided by a library patron via email will be used only for purposes described at the point of collection, such as to send information or provide services to the library user or respond to a patron's questions or comments.
- Email is not necessarily secure against interception and may be subject to disclosure requirements of the Public Records Act or other legal disclosure requirements.
- Users may not misrepresent themselves for purposes of fraud.

6. Website Use

- MPL collects no personal information about library patrons when they visit our website.
- Since MPL's web site is hosted through a subscribed service, KnownHost, library users are protected under their [privacy policy](#).
- Since MPL's website uses Assabet Interactive's event calendar and meeting room modules, library users are protected under their [privacy policy](#).
- The library has links to many federal, state and local organizations, as well as commercial sites. Once users connect to other sites, they are subject to the privacy policies of the new sites.

Policy on Confidentiality of Library Records

The Council of the American Library Association strongly recommends that the responsible officers of each Library, cooperative system, and consortium in the United States:

- Formally adopt a policy that specifically recognizes its circulation records and other records identifying the names of Library users to be confidential. (See also [ALA Code of Ethics](#), Article III, "We protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted" and [Privacy: An Interpretation of the Library Bill of Rights](#)).
- Advise all librarians and Library employees that such records shall not be made available to any agency of 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 investigative power.
- Resist the issuance of enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

Note: Point 3, above, means that upon receipt of such process, order, or subpoena, the library's officers will consult with Town of Montague legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured.

Adopted January 20, 1971, by the ALA Council; amended July 4, 1975; July 2, 1986. [ISBN 8389-6082-0]

Chapter 78, Section 7 of the Massachusetts General Laws (as amended by Chapter 180, Acts of 1988)

Section 7. A town may establish and maintain public libraries for its inhabitants under regulations prescribed by the city council or by the town, and may receive, hold and manage any gift, bequest or devise [sic] therefore. The city council of a city or the selectmen of a town may place in such library the books, reports and laws which may be received from the commonwealth.

That part of the records of a public library which reveals the identity and intellectual pursuits of a person using such library shall not be a public record as defined by clause Twenty-six of section seven of chapter four. Library authorities may disclose or exchange information relating to library users for the purposes of interlibrary cooperation and coordination, including but not limited to, the purposes of facilitating the sharing of resources among library jurisdictions as authorized by clause (1) of section nineteen E or enforcing the provisions of sections ninety-nine and one hundred of chapter two hundred and sixty-six.

Resolution on the Retention of Library Usage Records

WHEREAS,	“Protecting user privacy and confidentiality is necessary for intellectual freedom and fundamental to the ethics and practice of librarianship” (ALA Policy Manual, 53.1.16; Privacy: An Interpretation of the Library Bill of Rights); and
WHEREAS,	Library usage records containing personally identifiable information (PII) are maintained for the sole purpose of effectively managing library resources; and
WHEREAS,	The confidentiality of library usage records is protected by law in all fifty states and in the District of Columbia, see http://www.ala.org/oif/stateprivacylaws ; and
WHEREAS,	“The government’s interest in library use represents a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave” (ALA Policy Manual, 52.4.2; Confidentiality of Personally Identifiable Information About Library Users); and
WHEREAS,	The American Library Association strongly recommends the adoption of policies recognizing “circulation records and other records identifying the names of library users with specific materials to be confidential” (ALA Policy Manual, 52.4; Confidentiality of Library Records); now, therefore, be it.

RESOLVED, That the American Library Association urges all libraries to:

- Limit the degree to which personally identifiable information is collected, monitored, disclosed, and distributed; and
- Avoid creating unnecessary records; and
- Limit access to personally identifiable information to staff performing authorized functions; and
- Dispose of library usage records containing personally identifiable information unless they are needed for the efficient and lawful operation of the library, including, but not limited to data-related logs, digital records, vendor-collected data, and system backups; and

- Ensure that the library work with its organization's information technology unit to ensure that library usage records processed or held by the IT unit are treated in accordance with library records policies; and
- Ensure that those records that must be retained are secure; and
- Avoid library practices and procedures that place personally identifiable information on public view; and
- Assure that vendor agreements guarantee library control of all data and records; and
- Conduct an annual privacy audit to ensure that information processing procedures meet privacy requirements by examining how information about library users and employees is collected, stored, shared, used, and destroyed; and, be it further.

RESOLVED,	That the American Library Association urges all libraries to adopt or update a privacy policy protecting users' personally identifiable information, communicating to library users how their information is used, and explaining the limited circumstances under which personally identifiable information could be disclosed; and, be it further
RESOLVED,	That the American Library Association urges members of the library community to advocate that records retention laws and regulations limit retention of library usage records containing personally identifiable information to the time needed for efficient operation of the library.

Adopted by the Council of the American Library Association
Wednesday, June 28, 2006
New Orleans, Louisiana;