Patrons’ Right to Privacy

Privacy is essential to the exercise of free speech, free thought, and free association. Bayonne Public Library is committed to protecting the confidentiality of personal information of all patrons, users, visitors, and donors.

Any person who attains a Library card, uses the Library’s website, attends a Library event(s), participates in Library programs, accesses Library databases, visits a Library location, or donates to the Library, are subject to and covered by this policy.

Confidentiality Of Library Records

New Jersey law, N.J.S.A. 18A:73-43.2 requires that library records and documents containing the names or other personal information about library users be kept confidential and not disclosed except in the following three (3) circumstances:

a. The records are necessary for the proper operation of the library;

b. Disclosure is requested by the user; or

c. Disclosure is required pursuant to a subpoena issued by a court or court order.

“Library records” include any document or record, however maintained, the primary purpose of which is to provide for control of the circulation or other public use of library materials. (N.J.S.A. 18A:73-4.1(b)).

Confidential user information includes, but is not limited to the following for individual users:

a. Name (including both currently registered borrowers and past borrowers)
b. Home and business address
c. Telephone numbers
d. Any other information from an individual’s registration record
e. Current or previous materials borrowed
f. Questions asked by an individual user
g. An individual’s image or voice
h. The frequency, nature or duration of a user’s use of Library computers, including Internet access.
i. Resources consulted, whether print, audio or electronic
j. Database or Internet searches conducted for or by an individual user
k. The frequency or nature of a user’s visits to the Library
l. Any other information supplied to the library by the user.
m. Any other personally identifying details regarding any user of the Library.

Library employees are responsible for adhering to this policy. Any Library employee who discloses confidential information as defined above, other than in accordance with the terms of this Policy, will be disciplined, up to and including termination, as outlined in the disciplinary policy.

Third-party Vendors and Websites

The Library uses third-party library service providers and technologies to help deliver some of our services, including cataloging services, online services such as databases, digital classes and programs, digital collections, streaming media content, patron communications, etc. The Library will make every effort to be transparent whenever the Library is using a third-party company to deliver Library services, however, Library patrons must understand when using remote or third-party vendor sites, there are limits to the privacy protection the Library can provide.

Any time a patron chooses to use such services, the Library may need to share some of the patron’s personal information with these third parties, but only as necessary for them to provide the services on behalf of the Library. The Library also may display links to third-party services or content. By following these links, patrons may be providing information (including, but not limited to personal information such as name, username, email address, and password) directly to a third party, to the Library, or to both.

By using these services, patrons are acknowledging and agreeing that Bayonne Public Library is not responsible for how those third parties collect or use each patron’s information.

The Library makes reasonable efforts to ensure all third party service providers conform to this Policy and that they comply with the Children's Online Privacy Protection Act. The Library continually monitors and evaluates such vendors to ensure that their policies and practices remain in line with these requirements.

The Library expects third-party service providers to:

- Conform to the Library’s Confidentiality of Patron Information Policy, including confidentiality of all Library records.
- Provide a service that complies with the Children's Online Privacy Protection Act.
- Refrain from collecting or sharing additional information about patrons and other users, other than what is needed for delivery of the Library services provided.
Have a publicly posted privacy policy.

**Children's Information**

The Children's Online Privacy Protection Act (COPPA) regulates online collection of information from children under the age of 13. Any child under the age of 13 may not be permitted to use certain Library online services without their parent’s or guardian’s permission, especially when their personal information may be automatically collected. Parents and guardians of children under the age of 13 may view their children’s Library records.

Parents and guardians of children between the ages of 13 and 17 (inclusive) may also view their children’s Library records, provided their children consent to grant them access. The Library may partner with third-party services to provide educational content for children. Parents and guardians should review those services’ privacy policies before permitting their children to use them.

**Public Computers and Connected Devices**

The Library does not keep a record of users’ activities on any Library-provided computer or laptop. Any records of browsing history and activities are removed automatically when the user logs out. The next user cannot see any information of prior users.

All personally identifiable information is purged at the end of each public computer session/reservation. An anonymous log is created that includes only the computer terminal number, reservation time, and duration of the session. These anonymous reservation statistics remain in the system for analytical purposes for the Library.

Library staff manually clear all search and usage history on all connected devices borrowed from the Library (e.g., tablets, e-readers, etc.) immediately upon return of the device and before any other patron can borrow or use the device.

**Data and Network Security**

The Library uses software programs that monitor network traffic and computer activity to identify and prohibit unauthorized attempts to compromise Library technology, including preventing malware, viruses, and bad actors from entering the Library’s network, or otherwise disrupting Library operations. No attempts are made by the Library to identify individual patrons or their usage habits and no software is installed on patron-owned devices.
Requests for Information from Individuals

Only the Library and users/patrons have access to confidential information about them contained in a library record. When a patron asks for confidential information about another person contained in a library record, the staff will not provide the information and will explain that the records are confidential.

When patrons telephone for information about items being held for them, titles may be given only after the caller supplies the Library card number, and the employee verifies that the number matches the name given by the caller.

Anyone may pick up reserved items for a user if that person presents the patron's Library card. If questions or problems arise because of the nature or content of the reserved material or the person picking up the items, the employee shall place the item(s) back on the reserve shelf for the intended patron. Employees shall not cancel reserves unless the patron who placed the reserve requests cancellation, or the requesting user, does not pick up the item(s) within the time allowed under the Library policy on reserved items.

Requests for Information from Governmental Agencies

Any request from anyone purporting to be asking on behalf of a government agency to make any Library record(s) which contain confidential information available for examination, or to furnish confidential information concerning users or patrons, shall not be provided, but the requesting party will be asked to put the request in writing on official government letterhead and submit the written request to the Library Director. The written request must identify the requesting party, the specific records or information being requested and the reason for the request. The Library Director will review the written request and either deny the request or consult with the Library’s legal counsel before responding.

If a subpoena or court order requesting library records containing confidential information is served upon the Library or any employee or representative of the Library, it shall immediately be forwarded to the Director for response. The Director shall consult with the Library’s legal counsel to determine whether and to what extent the Library is required to comply. Based on the recommendation of the Director and the Library’s legal counsel, the Library Board of Trustees may be consulted on whether the Library should respond fully, question the request, or attempt to quash the subpoena or order completely or minimize its scope. No Library employee or representative, other than the Library Director, may release any documents, records or information to any party, even upon the service of a court order or subpoena.

If the determination is made that the documents, records and/or information cited in the subpoena or court order shall be released, then the Library Director shall release such materials, either directly or through the Library’s legal counsel, in accordance with the specific terms of the subpoena or court order.
Except as directed by the Library Director or as stated in this Policy, Library employees and representatives shall not disclose to any other employee, representative, user or patron (including one who is the subject of the request) or other third party, the fact that the Library received a governmental request for confidential information, the identity of the user about whom the request was made, the confidential information requested, and the Library’s response to the request. Failure to comply with this broad confidentiality requirement may subject the employee to disciplinary action and also may constitute a violation of law.

Adopted by the Bayonne Public Library Board of Trustees on 9/5/23.