

Privacy and Confidentiality Policy

Beaufort County Library



Revised and approved by the Library Board of Trustees - September 11, 2019

SC Code of Laws, Section 60-4-10 states that “confidential records may not be disclosed except to persons acting within the scope of their duties in the administration of the library or library system or persons authorized by the library patron to inspect his records, or in accordance with proper judicial order upon a finding that the disclosure of the records is necessary to protect public safety, to prosecute a crime, or upon showing of good cause before the presiding judge in a civil matter.

Definitions:

Privacy. In a library, the right to privacy is the right to open inquiry without having the subject of one’s interest examined or scrutinized by others.

Confidentiality. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf. Personally identifiable information (PII) connects individuals to what they bought with their credit cards, what they checked out with their library cards, and what web sites they visited. The PII collected by the library includes name, address, email address, phone number, and library card number. Users have the right of access to their own PII.

Confidentiality of Library Records:

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. In accordance with the American Library Association’s Code of Ethics: “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.” Both the state of South Carolina and the Bill of Rights of the U.S. Constitution provide guarantees of confidentiality and privacy. The library protects the privacy and confidentiality of children as well as adults.

Records of customer use of library resources, materials, or services protected under SC Statute 60-4-10 include circulation records, workstation logs, security videos, information sought or received, materials consulted or borrowed, database search records, interlibrary loan records, reference interviews, sign-up sheets, patron material complaint forms, emails, voicemail, correspondence about customers’ library use. Statistical data collected about library card registrants and their library use allows libraries to plan for its collections and services and to target its operation to specific community needs, and enables libraries to effectively report statistics on library use as required by federal, state, local, and private funding bodies.

The Library also offers a wireless network that allows users to connect to the Internet at any branch location. Please be aware that data accessed and sent over the wireless network is not encrypted.

In cases when library users leave the Library's site to visit another, users are encouraged to become familiar with the privacy statement of each site they visit. Third parties are not bound by library confidentiality statutes or other laws protecting the privacy of user records. For these reasons, neither the library nor the library user can be certain that confidentiality will be adequately protected. The Library cannot be responsible for user privacy when visiting outside web sites.

The library does not disclose or distribute (unless authorized) users' names, postal addresses, email addresses, phone numbers, borrowers records, computer use records, or other personal information to outside parties unless required to do pursuant to subpoena, court order, or where otherwise required to do so by law. Library staff who are approached by a law enforcement officer or agent with any request or court order to examine or obtain the library records of any library user will ask for identification and direct the officer or agent to the Library Director or other designated person in charge who will review the request or search warrant and seek the advice of the County Attorney.

Search warrants signed by the court are immediately enforceable. The Library Director or designated person in charge may request time to fax the warrant to the County Attorney for verification. If the officer or agent wishes to immediately enforce the search warrant, staff should not interfere but should proceed to notify the Library Director or the person in charge of the search.

Library staff must be familiar with and abide by all other applicable guidelines for how to appropriately respond to requests for confidential information, whether from law enforcement or individuals.

Statement regarding access to accounts and customer responsibility:

Protecting your library card: It is your responsibility to notify the library immediately if your card is lost or stolen or if you believe someone is using your card or card number without your permission. We encourage you to protect your password for your privacy and security.

Items on hold: A spouse, friend, neighbor, family member may pick up your materials on hold if you have given them permission to use your card and they present your card during the checkout of materials.