

Confidentiality Policy

The libraries of the North Of Boston Library Exchange (NOBLE) recognize and protect the confidentiality of the use of our libraries and commit to preserving the privacy of that information in the NOBLE system.

All staff, circulation and reference procedures and automated systems will treat the identity of borrowers and the profile of an individual's search for information in the way that most protects the patron's confidentiality.

Protected information includes, but is not limited to: borrowing; reserve requests; fine records; records identifying names of users with specific materials, equipment or electronic resources; area of research; the frequency, number or nature of library visits; and all library registration files. NOBLE libraries maintain no record of those items that have been borrowed and returned unless an overdue charge is outstanding. Access to patron information within the library must be limited to a need-to-know basis, enforced by authorization passwords.

Patron information will only be released to its owner upon presentation of positive identification. Patrons may obtain a PIN (Personal Identification Number) from their library upon presentation of positive identification to access their borrowing record privately at an Internet-connected computer.

Under no circumstances will any information regarding either patron registration or circulation be released to a third party, except as described below.

- No records can be made available to any inquiries, including law enforcement, unless a subpoena or warrant has been served by a court of competent jurisdiction. Records will be made available immediately upon presentation of a valid warrant. Records will be released in response to a subpoena after consultation with legal counsel. Whereas a subpoena or a search warrant under the USA Patriot Act (P.L.107-56) suspends state statutes, confidential patron information will be turned over to federal law enforcement officers if such documents are presented. Library representatives shall not honor requests from federal law enforcement officers unless a subpoena or search warrant is presented pursuant thereto. Only Federal officers can use the Patriot Act to request information. Please refer to the process document on the Staff Information System for procedures.
- The records of minors with their own cards are also considered to be private to those persons. Parents or legal guardians who are responsible for a child's library materials may obtain records pertaining to overdue items.
- Information may be released as minimally necessary to validate patrons using third-party services contracted by a library or NOBLE.

All contractors to whom patron data or access to patron data is provided must execute a document in the format provided by NOBLE specifically citing that the patron data will not be retained nor sold or otherwise distributed or disclosed.

NOBLE recognizes and utilizes Massachusetts General Laws Chapter 78, Section 7, which states: "Library authorities may disclose or exchange information relating to library users for the purposes of inter-library 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." Library user information can only be used by the library to contact residents of their own community (public libraries) or persons directly affiliated with their own institution (non-public libraries) for library use only in accord with applicable laws and regulations. Should a library use a contractor for such purposes, the contractor must execute a document in the format provided by NOBLE specifically citing the data will not be retained nor sold or otherwise distributed or disclosed.

This policy is based on the Code of Ethics of the American Library Association, which in Article III states: "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 Massachusetts General Laws Chapter 78, Section 7, which states, "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 public record as defined by clause twenty-sixth of section seven of chapter four".

All officers, employees, volunteers, contractors and governing authorities of member libraries accept these tenets by virtue of their participation in NOBLE and are hereby instructed to comply with this policy. Member libraries recognize that only through strict adherence to this policy can the public be confident that their privacy is protected. Any failures to observe this policy must be reported to the library director and/or the NOBLE management team.

Approved by Executive Board, March 8, 2006

Approved by Meeting of the Members, March 16, 2006