



Patron Record Confidentiality

Privacy is essential to the exercise of free speech, free thought, and free association. East Morgan County Library District (EMCLD) is committed to protecting patron privacy and confidentiality as rooted in the law and in the ethics and practices of librarianship.

In compliance with Colorado Revised Statutes 24-90-119 and 24-74.1-102 :

- EMCLD will not disclose the use of library content, materials, equipment, programs, facilities, and staff assistance unless disclosure is necessary for the reasonable operations of EMCLD or is otherwise required by law.
- EMCLD will take reasonable measures to ensure the confidentiality of each patron's EMCLD record, account and library use by securing and limiting access to these records to approved staff members only.
- EMCLD will only collect and store personally identifiable information when needed for business purposes. EMCLD will not collect information about place of birth, immigration or citizenship status, or information from passports, permanent resident cards, alien registration cards or employment authorization documents.
- EMCLD prevents violation of civil rights of persons in Colorado based on immigration status.

Consent

EMCLD will not collect or retain private and personally identifiable information without individual consent. Individuals may choose to submit their names, email addresses, postal addresses, telephone numbers and PIN number in order to receive EMCLD services, such as registering for library cards, registering for programs, receiving personal responses to questions, or being added to specific mailing lists. Personally identifiable information given to EMCLD will be kept confidential and will not be sold, licensed, or disclosed to any third party except those working under contract with EMCLD, or except as required by law.

Patron's responsibility

It is the patron's responsibility to notify EMCLD immediately if the patron's card is lost or stolen or if the patron believes that someone is using the patron's card or card number without permission. EMCLD encourages patrons to protect library cards and card numbers for privacy and security.

Patrons may access their own personally identifiable information held by EMCLD and are responsible for keeping their information accurate and up-to-date. Patrons may ask EMCLD staff about the process for accessing or updating their information.



Parents and Children

EMCLD respects the privacy of all patrons no matter their age. Parents or guardians of a child under the age of 16 who wish to obtain access to a child's library records, including the titles of materials checked out or overdue, must provide the child's library card or library card number.

Data Disposal

EMCLD takes reasonable steps to ensure data security. When paper or electronic documentation containing personally identifiable information is no longer needed, staff will destroy or arrange for the destruction of such paper and electronic documents by shredding, erasing, or otherwise modifying the personally identifiable information in the paper or electronic documents to make the personally identifiable information unreadable or indecipherable through any means.

Information Collected

EMCLD may collect and store information to measure the number of visitors to different areas of the EMCLD website -emcl.org - to assist in making the website more useful. This information includes: the address (IP) of a computer or Internet provider, date and time the website was accessed, pages accessed, website navigation, and the Internet address of the website that referred a user to EMCLD's website. EMCLD website data is not linked to individual account data.

Third Party Vendor Services

EMCLD enters into agreements with third parties to provide online services, digital collections, streaming content and website improvements. These services may also connect with social networks.

Third-party services may gather and disclose patron information including:

- Personally identifiable information that patrons knowingly provide such as website registration, feedback and suggestions, requests for information, or shared content creation;
- Other information that could be used to identify patrons such as IP addresses, search history, location based data, and device IDs;
- Non-personally identifiable information such as ad views, analytics, browser information (type and language), cookie data, date and time of requests, demographic data, hardware and software types, interaction data, serving domains, page views, and web pages visited immediately prior to visiting the EMCL website; and
- Other data as described in a vendor's privacy policy and terms of use.

EMCLD makes reasonable efforts to ensure that EMCLD's contracts, licenses, and off-site computer service arrangements reflect EMCLD's policies and legal obligations concerning patron



privacy and confidentiality. When connecting to third-party licensed databases and content providers, EMCLD only releases information that authenticates registered EMCLD patrons. Patrons must understand that when accessing remote or third-party vendor sites, there are limits to the privacy protection EMCLD can provide. EMCLD encourages patrons to review the privacy policies of all third-party providers.

Other Services

This policy does not apply to external applications or websites that may be accessed from EMCLD's public computers, devices, or wireless network. Some patrons may choose to take advantage of RSS feeds from EMCLD's catalog, public blogs, hold and overdue notices via email or text message, and similar services that send personally identifiable information related to library use via public communication networks. Patrons should also be aware that EMCLD has limited ability to protect the privacy of this information outside its control. Patrons are cautioned that any electronic communication utilizing the Internet or a wireless network may be intercepted.

Illegal Activity Prohibited and Not Protected

Patrons may conduct only legal activity while using EMCLD resources and services. Nothing in this policy prevents EMCLD from exercising its right to enforce its Behavior Policy; protect its patrons, staff, facilities, network, and equipment from harm; or prevent use of EMCLD facilities and equipment for illegal purposes. EMCLD can electronically log activity to monitor its public computers and network external access and reserves the right to review such logs when a violation of law or EMCLD policy is suspected. Staff is authorized to take immediate action to protect the security of patrons, staff, facilities, computers, and the network. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.

Enforcement and Redress

EMCLD staff will refer any public records questions and law enforcement inquiries to the Library Director. The Library Director is EMCLD's Custodian of Records and is authorized to receive or comply with public records requests or inquiries from law enforcement officers. The Library Director may delegate this authority to designated members of EMCLD's management team. The Library Director may confer with legal counsel before determining the proper response to any request for records. EMCLD records may only be disclosed pursuant to subpoena, upon court order, or where otherwise required by law.

Security Breach

C.R.S. section 24-73-103 states that government entities provide proper notice to law enforcement and individuals when a security breach of any personal information occurs.



The library Director will work with law enforcement and oversee that patrons whose personal information has been compromised by the breach are correctly notified. In the notification, patrons will be advised to change their PIN numbers or other passwords associated with their accounts.

24-90-119. Privacy of user records. (1) Except as set forth in subsection (2) of this section, a publicly-supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.

(2) Records may be disclosed in the following instances:

(a) When necessary for the reasonable operation of the library;

(b) Upon written consent of the user;

(c) Pursuant to subpoena, upon court order, or where otherwise required by law;

(d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor.

(3) Any library official, employee or volunteer who discloses information in violation of this section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars.

Source: L. 83: Entire section added, p. 1023, 1, effective March 22. L. 2003: (1) and (3) amended and (2)(d) added, p. 2463, 17,18, effective August 15.

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