



MEMORANDUM

Resolution 25-095, A Resolution of the City Council of Homer, Alaska Amending the Homer Public Library's Privacy Policy to Include the Confidentiality of Patrons' Phone Numbers and Text-Messaging Choices. City Manager/Library Director.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and City Council
Date: October 22, 2025
From: Dave Berry, Library Director
Through: Melissa Jacobsen, City Manager

Background: For a number of years, the library has offered patrons the option of receiving certain communications, such as holds notices, through text message. The library's catalog automatically generates an email notice, which is then converted into a text message before being sent.

Last June, AT&T notified us that it will no longer support email-to-text services, mainly as an anti-spam measure. Other carriers seem likely to follow suit.

I asked the company that maintains our catalog if they had a solution. They recommended partnering with a third-party company that can translate our catalog outputs into a form acceptable for the phone carriers. We signed a contract with this company on September 26, and they reached out to me to begin the process of setting it up.

One key requirement is that the library privacy policy must cover electronic communications, including offering patrons the choice to opt in or out. While we do offer that choice, it isn't covered in the existing documents, and we need to spell it out before we can upgrade the system.

I have drafted a new privacy policy based off a template provided by the company, with the new sections highlighted in yellow. At its meeting on Oct. 21, the LAB voted to endorse the changes.

Recommendation: Revise the library's privacy policy to cover electronic communications.

Attachment:
Draft Privacy Policy

Privacy

The Homer Public Library recognizes the need to protect each individual's right to privacy regarding materials borrowed from the library and questions asked of staff.

CONFIDENTIALITY OF LIBRARY RECORDS

Reaffirming the individual's right to read, listen, and view, the Homer Public Library declares that circulation and registration records of the library are confidential in nature, protected by the individual's right to privacy, and that these records are not to be disclosed to any person or agency, government, or other organization, under any circumstance, except upon order from a court of competent jurisdiction. Any costs the library incurs in any search shall be charged to the agency demanding such search.

Authority for this policy is set in Alaska Statutes, Inspection and Copying of Public Records:

Sec. 40.25.140. Confidentiality of library records.

(a) Except as provided in (b) of this section, the names, addresses, or other personal identifying information of people who have used materials made available to the public by a library shall be kept confidential, except upon court order, and are not subject to inspection under AS 40.25.110 or 40.25.120. This section applies to libraries operated by the state, a municipality, or a public school, including the University of Alaska.

(b) Records of a public elementary or secondary school library identifying a minor child shall be made available on request to a parent or guardian of that child. (sec. 1 ch 35 SLA 1985)

To conform to the law: Names, addresses, telephone numbers, or information concerning what items are on a patron's account or what a patron is reading will NOT be given out to anyone, including spouses and law enforcement officers, with the following exceptions:

- Patrons request information in person about their own accounts and can produce their own library cards.
- Patrons request information over the telephone about their own accounts and can provide the account number and PIN.

- Patrons email requesting information about their own accounts from the email address listed for the account and can provide the account number.
- Parents or legal guardians request titles of overdue, lost, or damaged items their minor children have borrowed, and the identity of the person can be verified as a parent or guardian listed on the minor's account.

Under no circumstances should a minor's address or telephone number be given to anyone, including a parent or guardian. A minor is anyone under the age of 18. All notices sent to patrons will be in envelopes or otherwise suitably masked to maintain confidentiality. If at any time there is a question about giving out information from library patron accounts, the staff member will check with the library director.

CONFIDENTIALITY OF INTERNET AND OTHER ELECTRONIC ACCESS

Internet and other computer use in the library will be considered protected by the confidentiality of library records under Alaska Statutes Section 40.25.140. Any information that identifies internet users with specific materials or subject matters is considered confidential. Such records shall not be made available to any agency of local, state or federal government except pursuant to such process, order or subpoena as may be authorized under the authority of federal, state, or local law relating to criminal, civil or administrative discovery procedures or legislative investigatory power.

Homer Public Library resists the issuance or enforcement of any such process, order or subpoena until such time as proper showing of good cause has been made in a court of competent jurisdiction.

While the library is sensitive to a patron's need for privacy in using all library resources, the library cannot guarantee a patron's privacy while using computer resources. All patrons are expected to respect the privacy of others.

LIBRARY NOTIFICATIONS

The library collects only the minimum personal information necessary to provide effective services for its users. Library account data is never sold to any third-party vendors. It is shared with select vendors specifically vetted by the library for the purpose of providing optional library notifications about holds, overdues, and other library business. Notifications may be sent by mail, e-mail, text (SMS),

phone or other methods of communication. The library also collects data for statistical purposes containing no personally identifiable information. Personal information and mobile numbers collected through opt-in will not be shared, sold or rented with third parties, except for law-enforcement officials with a warrant.

The library offers a number of options for notifications and/or communications. Phone numbers may be used to notify via phone calls or SMS/text messages, if applicable. Another option is via email. To receive these notices, you may opt-in by selecting your preferred notification method when opening an account or notifying staff any time after that. You may also opt-out of notifications at any time by contacting our staff during business hours. You will need to provide account information, which may include e-mail or phone number. After opting out, you may receive a final confirmation message. Please allow a reasonable amount of time for your opt-out request to be processed. If you choose to resubscribe, you can do so by following the opt-in process again.

Terms and Conditions for Text Messages

1. Patrons who have opted to receive text messages from the Homer Public Library will get messages for library business only. Personal information will not be shared with third parties, except for law-enforcement officials with a warrant.
2. The types of messages the library may send includes but is not limited to account notifications, such as overdue notices, holds notices, etc.
3. Message frequency may vary.
4. Message and data rates may apply.
5. For support, text HELP for help, email circ@homerpubliclibrary.org, or call 907-235-3180.
6. To opt-out, text STOP to cancel, log in to your account to change notice preference, or speak with a staff member.
7. Failure to receive a library account notice does not waive patron responsibility for the timely return of library materials