Patron Privacy in Jeopardy
A pilot analysis of the privacy policies of American public library digital content vendors
April Lambert, Michelle Parker, and Masooda Bashir

Research Questions
No longer is reader privacy solely in the hands of intrepid librarians determined to defend intellectual freedom. Now libraries must work with vendors to negotiate privacy protections. This project seeks to contribute to the discussion of these issues by conducting a content analysis of the privacy policies of several of the top digital content vendors to American public libraries. Our research questions include the following:
1. Do digital content vendor privacy policies meet the standards of the library community?
2. Do these privacy policies meet other industry standards?
3. Are these privacy policies accessible and understandable to public library patrons?

Methodology
Vendors were selected by surveying the websites of the top 25 public libraries as designated by the American Library Assoc. (ALA). The top 5 most-used vendors with privacy policies were selected for the pilot, and their privacy policies were downloaded. These vendors provide digital content such as e-books, audiobooks, videos, music, and magazines. Two reviewers coded each policy using a 35-point coding rubric based on Fair Information Practice Principles (FIPPS) and the privacy guidelines put forth by the ALA and the International Coalition of Library Consortia (ICOLC). Policies were evaluated on whether they affirmatively stated adherence to each guideline or whether they were silent on the issue. Each policy was also run through Word’s readability measures to assess the policy’s accessibility for library vendors.

Findings
1. Digital content vendor privacy policies generally do not meet the heightened standards of the library community. The policies in this study included language that affirmatively stated compliance with only 9% of the library-specific guidelines.
2. Digital content vendor privacy policies were much more likely to meet the FIPPS industry standards, affirmatively stating compliance with 67% of the guidelines.
3. Digital content vendor privacy policies were easily accessible but scored poorly on the reading ease and grade level assessments. All of the policies scored at a twelfth-grade reading level, well above the average American reading level.

Next Steps
Our next steps are to expand our data pool to include a wider variety of digital content vendors commonly used by American public libraries. We hope to collaborate with the ALA’s working groups on privacy and digital content to support their efforts to provide libraries with model language for negotiating vendor contracts. The information obtained from our analysis of vendor privacy policies should assist these groups in determining where vendors are falling short of library expectations and provide guidance for developing a set of best practices.

Acknowledgments
A special thank you to Trina Magi, Librarian, University of Vermont, for her assistance with this project.

References