

## **MNG-1: Confidentiality of Library Records**

It is the policy of the Board to ensure the privacy of the users of Library services. The Board considers any patron-identifiable Library records to be confidential in nature. Patron-identifiable Library records are collected only when they are necessary for the fulfillment of the Library's mission or for the purpose of protecting public property. Patron records are not to be used directly or indirectly to identify the types of materials used by individual Library patrons.

Patron-identifiable Library records include any information that links a patron to use of particular Library materials, resources, or services, or that identify a patron's choices, tastes, or research interests. Such records include, but are not limited to, all types of registration and circulation records, temporary Internet files stored in a computer, computer sign-up sheets, inter-Library loan requests and records, patron requests to reserve, recall or obtain certain materials, notes pertaining to patron requests for assistance, and all correspondence with patrons having to do with use of Library resources including email. Even records that do not include a patron's name, but refer to some other identifiable characteristic, such as the patron's Library card number, address, driver's license number, or phone number are considered patron-identifiable Library records. In addition to physically extant records, patron-identifiable Library records include computers, computer components, disks and other electronic storage media containing such records.

No identifiable Library records shall be made available to members of the public, the press, or any agency of state, federal, or local government, except pursuant to such process, order, or subpoena as may be authorized by a court under the authority of and pursuant to federal, state or local law relating to civil, criminal, or administrative discovery procedures or legislative investigatory power. Any costs incurred by the Library in any search through patron records shall be chargeable to the agency demanding such search.

Only the Library Director or Board President is authorized to accept and respond to such court orders. If the order requires immediate compliance, the designated librarian-in-charge, may respond to such an order, but should first attempt to notify the Library Director or Board President. Whenever possible the Library's staff should seek to have the court order reviewed by the Library's Attorney before complying.

Patron-identifiable information may be disclosed without a court order only in the following circumstances:

- A. A patron may have access to any patron-identifiable records the Library holds about him or her, if the patron presents his or her Library card. Telephone callers who provide their Library card number will be treated the same as in-person visitors.
- B. If the patron is a minor, the minor's parent or legal guardian may have access to the circulation records of that child if the parent or guardian is in possession of the child's Library card and is able to provide appropriate identification for himself or herself.
- C. When contacting a patron, patron-identifiable information (such as the title or subject of a requested item available to be picked up) may not be left on an answering machine, voice mail, or email to the patron, unless the patron specifically requests this form of identification at the time of the request. The Library cannot be responsible for maintaining confidentiality in the notification process if these methods are selected by the patron.
- D. The Federal Protection of Children from Sexual Predators Act requires the Library to report possible violations of child pornography laws to the Cyber Tip Line at the National Center for Missing and Exploited Children ([www.cybertipline.com](http://www.cybertipline.com)). Reports received by the Cyber Tip Line are forwarded to the appropriate law enforcement agencies. Such disclosures should be made only by the Library Director, and whenever possible the Library Director will consult with the Library's Attorney before making such a disclosure. The Library is protected from liability for good faith disclosure to the Cyber Tip Line.