



# Conway Public Library

## Confidentiality of Library Records Policy

The policy of the Conway Public Library is to preserve the confidentiality of patron registration, circulation, and usage records. Library staff will release patron registration and circulation information only to the registered cardholder to whom that information pertains and only upon presentation of a proper valid library card or other sufficient identification.

No cardholder records will be made available to federal, state, or local law enforcement agencies except by valid warrant, subpoena, court order, or other appropriate official direction as required by law. Upon receipt of such process, court order, or subpoena, the Library Director and/or the Library Trustees will consult their legal counsel to determine if such is in proper form and if there is a showing of good cause for its issuance.

The Conway Public Library complies with the New Hampshire library records confidentiality statute, which states:

"I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II. Such records include, but are not limited to, library, information system, and archival records related to the circulation and use of library materials or services, including records of materials that have been viewed or stored in electronic form.

II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by or consent of the user or pursuant to subpoena, court order, or where otherwise required by statute.

III. Nothing in this section shall be construed to prohibit any library from releasing statistical information and other data regarding the circulation or use of library materials provided, however, that the identity of the users of such library materials shall be considered confidential and shall not be disclosed to the general public except as provided in paragraph II."

- Section 201-D:11 Library User Records; Confidentiality

To ensure the privacy and confidentiality of individual library use records, patrons are advised to not share their library cards or library account information with others. The Conway Public Library deems patrons who allow ~~third~~ persons to use their library cards or library account information to have consented to the access of their private and confidential library use records by such users.

With regard to minors (0-17 years), the cardholder and only the parent/guardian who registered the minor for a library card, thereby assuming responsibility for the items checked out on it, will be given information pertaining to the minor's account.

Records will be expunged (circulation, program attendance, etc.) when the information is no longer needed or upon expiration of any records retention requirements. The Library has no control over any data that a Library computer user sends to another computer server during an Internet session. Transactions are erased regularly; however, data can remain on the hard drive and confidentiality of this data cannot be assured.

Nothing in this policy shall prevent authorized Library staff from using Library records in the administration of their regular duties.

Under New Hampshire law, Section 202-A:25, Detaining Books, it is a summary offense to retain library property after being notified to return it. In the event of theft or retention of library materials after notice to return, the Library will release to the appropriate law enforcement officers, court officers, or collection agencies the relevant patron records, including the name and address of the person committing the offense and a list of materials stolen or retained with the replacement costs.

Adopted by the Conway Public Library Board of Trustees, February 14, 2006, rev. 6/13/06, rev. 5/07/08, rev. 6/10/09, rev. 05/18/10, rev. 4/11/12

\*These records include, but are not limited to, patron registration data, circulation records, overdue and reserve records, participation in library-sponsored programs, records of library visits, Internet or other computer use or access, and/or data that contain information that links a specific patron to specific materials or services used.