



POLICY

TITLE: Confidentiality of Library Records Policy

POLICY NUMBER: 006

EFFECTIVE DATE: October 26, 2016

REVIEW DATE: October 1, 2019

SUPERSEDES POLICY NUMBER: Resolution #84-2; Policy #1-09; Policy #006 dated 6/27/2012; Policy #006 dated 5/27/2015

AUTHORIZED BY: BOARD OF TRUSTEES

1. Purpose: To provide for confidentiality of Timberland Regional Library (TRL) patron records and to clarify when and how such records may be released.
2. Scope: All TRL patron records.
3. Background: Confidentiality of library records is essential for the exercise of free speech.
4. Definitions: Record. Any documentation in print or electronic format that could be used to identify the names of library patrons with specific materials. Also including computer use records and all personally identifiable information provided to obtain a library card.
5. Policy:
 - a. TRL employees release information regarding library card accounts only to the person to whom the library card is issued.
 - i. TRL does not disclose information to the parent or guardian regarding the minor's library record.
 - ii. Library patrons may designate others to receive information, check out materials, place, and pick up holds.
 - iii. Library patrons who link accounts provide designation that the linked users may see each other's library record information.

- b. Records that could be used to identify the names of library patrons with specific materials shall not be made available to any agency of federal, state or local government, except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to federal, state or local law.
- c. For the purpose of responding to subpoenas, the TRL Board of Trustees designates the Library Director as the custodian of TRL materials and records.
 - i. The Library Director shall determine whether to seek to quash a subpoena, to respond to a subpoena or to instruct an employee to respond to the subpoena based upon the Library Director's determination of whether the subpoena is proper or whether it constitutes improper interference with the patron's right to privacy.
 - ii. Employees shall have authority to produce either TRL records or materials in response to a subpoena only as expressly directed by the Library Director.
 - iii. On a case-by-case basis, the Library Director may designate a TRL employee as the proper person to receive and respond to a subpoena duces tecum.

6. References: None.

7. Citations:
- 1. RCW 42.56.310
 - 2. American Amusement Machine Association v. Teri Kendrick 534 U.S. 994 (2001)
 - 3. Erznoznik v. Jacksonville 422 U.S. 205 (1975)
 - 4. Board of Education v. Pico 457 U.S. 853 (1982)

By the enactment of this policy the Board of Trustees of Timberland Regional Library is concurrently rescinding any prior policy or procedure within TRL that is either in conflict with or expansive of the matters addressed in this policy.

Approved by the Board of Trustees, October 26, 2016