



# Confidentiality of Library Records Policy

Policy Number: 006

Supersedes Policy Resolution#84—2; #1 2009; #06 - 06/27/12; #006 - 05/27/15

Approved: 10/26/2016

Effective: 10/26/2016 - 10/01/2019

Authorized by: Board of Trustees

Review Date: 07/01/2019

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:**

A. 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.
1. TRL does not disclose information to the parent or guardian regarding the minor's library record;
  2. Library patrons may designate others to receive information, check out materials, place, and pick up holds;
  3. 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 Executive Director as the custodian of TRL materials and records.
1. The Executive 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 Executive Director's determination of whether the subpoena is proper or whether it constitutes improper interference with the patron's right to privacy.
  2. Employees shall have authority to produce either TRL records or materials in response to a subpoena only as expressly directed by the Executive

Director.


3. On a case-by-case basis, the Executive Director may designate a TRL employee as the proper person to receive and respond to a subpoena duces tecum.


6) **References:**

- A. None.

7) **Citations:**

- A. *RCW 42.56.310*.
- B. *American Amusement Machine Association v. Teri Kendrick* 534 U.S. 994 (2001).
- C. *Erznoznik v. Jacksonville* 422 U.S. 205 (1975).
- D. *Board of Education v. Pico* 457 U.S. 853 (1982).

 10/26/2016  
Cheryl Heywood, Executive Director

 10/26/2016  
Rebecca Connolly, President

*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.*