

**LIBRARY POLICY MANUAL**

**ADM: 11 Privacy Policy**

**Date Issued: 10/18/89**

**Revised: 9/18/96; 6/18/03**

**Attachment(s): None**

**1. Policy**

Mary Riley Styles Public Library is committed to protecting the privacy of patrons including circulation records, requests for services, resources accessed, and online sites accessed. Records that link patron identifiable information with circulation records, requests, or websites are created and maintained for the length of time necessary to conduct library business. Library staff do not disclose information pertaining to individual patrons to other individuals, or any public or private agency. Any judicial process will be directed to the Library Director who, will handle the matter.

The library complies with the Virginia Freedom of Information Act which contains an exception from the requirement to disclose certain library records, in Virginia Code § 2.2-3705.7 [excerpted as follows]:

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with Virginia Code § 2.2-3704.01.

3. Information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed or accessed material or resources from a library and (b) the material or resources such patron borrowed or accessed or (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

In compliance with the of the USA Patriot Act, the library hereby notifies patrons that “Under Section 215 of the federal USA Patriot Act (Public Law 107-56), records of the books and other materials they borrow from this library may be obtained by federal agents. That federal law prohibits librarians from informing a patron if records about him/her have been obtained by federal agents.”

While the library does not monitor on a routine basis the use by patrons or staff of its electronic systems, the library does follow the Electronic Communications Privacy Act. The library reserves the right to: 1. monitor, as necessary, to manage and protect its

systems from unauthorized or criminal use; and, 2. disclose to federal and state law enforcement and national security authorities as deemed appropriate by library management. Public and staff computers have terms of use that patrons must agree to before accessing the computers.

Patrons of all ages have the right to receive information about their own records, but must first provide personal identification. Acceptable identification includes their driver's license, other photo identification, or validation of personal information in the patron's record. Parents, including non-custodial, and guardians of children under 18 may also access that library patron's record by providing acceptable identification as outlined (See also the Library Card Policy for further information). Cardholders can grant access to account information and use to another patron by notifying staff.

Please note that all circulation records only contain what materials are currently checked out and what fees are attached to the record. Historical information is kept regarding what someone has borrowed for one month after returned. Patrons are offered the option to keep their check-out history; if they elect to do so, that information is saved on their account. Upon making that election, Staff will also have access to the patron's saved borrowing history as well.

New cardholders are automatically enrolled in library newsletters and notifications on the application. They are also enrolled in receiving MRSPL Foundation newsletters and communications. Cardholders can unsubscribe from newsletters and/or notifications at any time.

Information provided by library staff over the telephone shall be limited to the number of items charged to a patron and the amount of the fines for all patrons, after the requestor has given his/her/their name and library card number.

Any problems or conditions relating to the privacy of a citizen or patron through the records of the Mary Riley Styles Public Library which are not provided for in this policy statement shall be referred to the Library Director, who upon proper study of the issues and in consultation the Board of Trustees, shall determine the response to the request.