

Patron Record Confidentiality

The East Morgan County Library supports every patron's right to have his or her library records remain confidential. Library records include patron registration data, circulation records, overdue and reserve records, participation in library sponsored programs, records of library visits, and/or any data that contains information that links a specific patron to specific materials or services used. Each patron has individual control over his or her borrower's card and presentation of the card permits access to information about the borrower's current circulation record. Except during the actual period of transaction, the library will not maintain a record of transactions unless the patron requests to save their check-out history. Patrons can choose to opt out of saving their check out history at any time. When no longer needed for library administration purposes, records will be expunged.

Patron information will only be released in accordance with state law, listed below.

Nothing in this policy shall prevent authorized library personnel from using library records in the administration of their regular duties. By separate action, the East Morgan County Library District has endorsed the recommendations of the American Library Association's *Policy on Confidentiality of Library Records* and the Colorado Library Association "Statement on Intellectual Freedom."

24-90-119. Privacy of user records. (1) Except as set forth in subsection (2) of this section, a publicly-supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.

(2) Records may be disclosed in the following instances:

- (a) When necessary for the reasonable operation of the library;
 - (b) Upon written consent of the user;
 - (c) Pursuant to subpoena, upon court order, or where otherwise required by law;
 - (d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor.
- (3) Any library official, employee or volunteer who discloses information in violation of this section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars.

Source: **L. 83:** Entire section added, p. 1023, 1, effective March 22. **L. 2003:** (1) and (3) amended and (2)(d) added, p. 2463, 17,18, effective August 15.

Accepted: September 1999

Revised: January 2010

Reviewed: April 2016

Revised: September 2018

EMCL General Service Policies
