

## CONFIDENTIALITY OF LIBRARY RECORDS POLICY

**HISTORY:** The Tigard Public Library recognizes that all library users, regardless of age, have the right to confidentiality and privacy with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

User records of the Tigard Public Library showing 1) use of specific library materials consulted, borrowed, acquired or transmitted, by a named person; or 2) consisting of the name of a library patron together with the person's address or telephone number, or both, are conditionally exempt from disclosure. These records include, but are not limited to:

- Circulation records
- Borrower registration records
- Records created to facilitate access to and/or use of library information, materials and services.

**POLICY:** Tigard Public Library reserves the right to use library records for administrative purposes, such as recovering overdue materials, payment for lost items, customer surveys and other administrative mailings. Circulation and registration records may be used only by a library employee working within the scope of his or her duties or by outside agencies charged with the enforcement of library rules and policies or collection of library property, unpaid fees, fines or other charges.

The Tigard Public Library recognizes that the disclosure of a person's record showing specific library use is an invasion of privacy. Circulation records will not be divulged voluntarily to anyone except the patron or someone who can produce the patron's library card number. User records will be provided pursuant to lawfully issued subpoenas or warrants issued by a court of competent jurisdiction. When a subpoena or warrant is served on the Library, the subpoena or warrant shall be delivered to the Library Director or designee, who shall guide the Library's response. The Library Director may consult with the City Attorney if served with a subpoena or warrant.

**BACKGROUND:** Protecting the privacy and confidentiality of library users is a fundamental library value.

Oregon State Law recognizes the Tigard Public Library as a public body subject to the Public Records Law. However, ORS 192.502.22 provides the following exemption from disclosure of library public records:

Tigard Public Library

Adopted by the Tigard Library Board March 6, 2003

Reviewed and Re-Adopted by the Tigard Library Board August 9, 2007

Reviewed and Re-Adopted by the Tigard Library Board October 9, 2008

Reviewed and re-Adopted by the Tigard Library Board December 10, 2009

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“The records of a library, including circulation records, showing use of a specific library material by a named person or consisting of the name of a library patron together with the address or telephone number, or both, of the patron.”

This law allows the library to set policies to protect library circulation and registrations records from disclosure. In setting these policies, the library tries to strike a balance between the privacy of the user and convenience for that same user.