

CONFIDENTIALITY OF LIBRARY RECORDS

Policy Statement:

The choice of library materials and use of the informational services of the library is a private endeavor for each individual patron. To make full use of library resources, patrons must not feel constrained by the possibility that others may become aware of what books they read, the resources they use, or the questions they ask. The Manhattan Public Library will make every reasonable and responsible effort to see that information about patrons and their choices remains confidential.

The library endorses the Code of Ethics of the American Library Association, which states, "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted."

Regulations:

1. Users may conduct only legal activity while using library resources and services. Nothing in this statement prevents the library from exercising its right to enforce rules of behavior, protect its facilities and equipment from harm, or prevent the use of library facilities and equipment for illegal purposes. Staff is authorized to take immediate action to protect the security of library users, staff, facilities, computers and the network. This includes contacting law enforcement authorities and providing information that may identify the individuals perpetrating a crime or a violation of library use policies.
2. The Director is the official custodian of records for the Manhattan Public Library. As the official custodian of records, the library Director is the person responsible for responding to any request for library records or information about a library user. The library Director may designate one or more library employees to serve as persons responsible for responding to any request for library records or information about a library user when the library Director is absent or unavailable.
3. No library employee or volunteer may release library records or reveal information about a library user to any third party or law enforcement agents unless authorized to do so by the library Director or the Director's designated alternate or procedures in this policy. In all circumstances, employees and volunteers will follow the procedures set forth in this policy before responding to requests for library records and user information.
4. The Kansas Open Records Act (Kansas Statutes Annotated 45-221 as amended) defines records which are not required to be disclosed at the requests of citizens or public officials. Records that are not within the specific definitions are "open records" and are available for public examination.

Among records that are not required to be disclosed are:

- Exception 23 – Library patron and circulation records which pertain to identifiable individuals.
- Attorney General Opinion 95-64 outlines that open records accessed through electronic means require the same written policies as any other.

The library will not disclose personally identifiable information about individual patrons to any requester unless required to do so by law.

This information includes:

- The identity of users (names, addresses, telephone numbers, social security numbers)
- Materials users have borrowed from or through the library
- Online services used
- Reference consultations conducted in person, via phone, email or live-chat

This type of information is confidential and may only be released under very specific circumstances.

Practice:

We acquire only the personally identifiable information reasonably necessary, and retain it for the shortest length of time possible. Information we gather and retain about current library users includes the following:

- Information required to register for a library card
- Records of materials checked out, charges owed, payments made
- Requests for interlibrary loan or reference service
- Sign-up information for reading clubs or other library events
- Email lists for distribution of library information

We will not sell, license or disclose personal information to any third party except an agent working under contract for the library, unless required to do so by law or with the consent of the patron.