

Mid-Columbia Library System 405 S DAYTON, KENNEWICK, WA 99336 509.582.4745		Circulation Policy	
		SECTION: 210	NO. 42
TITLE: <i>PRIVACY OF REGISTRATION AND CIRCULATION RECORDS</i>			
COVERAGE: <i>CARDHOLDER REGISTRATION AND CIRCULATION RECORDS</i>		RESPONSIBLE: <i>ALL STAFF</i>	Page 1 of 4
AUTHOR: <i>LORI PORTUGAL</i>	SUPERSEDES: <i>POLICY CONCERNING PRIVACY OF REGISTRATION AND CIRCULATION RECORDS</i>		
REVIEWED BY: <i>PLANNING AND DEVELOPMENT COMMITTEE</i>		APPROVED BY: <i>BOARD OF TRUSTEES</i>	
ADOPTED: <i>DECEMBER 16, 1982</i>	REVISED: <i>NOVEMBER 20, 2006</i>	EFFECTIVE:	NEXT REVIEW:

1. PURPOSE:

- To give staff direction on the type of registration and circulation information that can be shared with one who is not the cardholder.

2. SUMMARY OF NOVEMBER 2006 REVISION:

- ADD 7.1, 7.2 and 7.3

3. RELATED POLICIES & PROCEDURES:

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4. SETTINGS AND OR SUPPLIES NEEDED:

- NONE

5. DEFINITIONS:

- **Dependent adult** – Person over the age 18 and over who has been assigned a guardian by a court of law.
- **Legal Guardian** – Person who has legal custody of a minor or has been appointed by the courts to care for a dependent adult.
- **Minor** – Under the age of 18
- **Private Cardholder Information** – Includes name, date of birth, address, phone number, library materials in use or on hold, etc., or any combination thereof.

6. APPENDICES:

- NONE
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7. POLICY STATEMENT

It is the policy of the Mid-Columbia Library System to protect the privacy of library borrowers, in accordance with the First Amendment of the Constitution of the United States and the laws of the State of Washington. Free and uninhibited access to library materials and information, as well as the right to dissent, is necessary to a democratic society. An individual must be able to inquire or read freely, without worry of being monitored, damaging one's reputation, being ostracized, or liable for criminal penalties.

REGULATIONS

1. A patron's registration and/or circulation records will not be released to any other person, except that a parent or legal guardian will be given access to the circulation records of his or her child 17 years of age and younger. The parent/legal guardian must present their own photo ID and provide the full name, address, telephone number, and birth date of the child.
 2. All records, containing private cardholder information, will be kept out of public reach and view. When no longer needed, the records will be shredded or otherwise destroyed before being discarded.
 3. Library volunteers shall not access cardholder records, both registration and circulation, except for those persons acting as proxy for library staff as defined in the Off-Site Registrations policy CPO.210.43.
 4. In order to prevent an unreasonable invasion of personal privacy, RCW 42.17.260 and RCW 42.17.310 (1a), all such information contained in these registration and circulation records in respect to specific patrons shall not be made available to non-library employees by any library officer, employee, or
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volunteer worker, except under the explicit written order of the Library Director, such order having been issued in pursuance of proper legal law process, order or subpoena under the law.

5. Upon receipt of such process, order, or subpoena, the person who has been named and/or served shall report to and consult with the Library Director and the Library's attorney to determine if such process, order, or subpoena is in proper legal form and shows therein a proper cause for issuance.
 6. If the process, order or subpoena is not in proper form, or if good cause has not been shown, insistence shall be made to the proper persons that such defects be remedied before any records are released.
 7. The legal process requiring the production of circulation records shall ordinarily be in the form of *subpoena duces tecum* (bring your records), requiring an officer and/or employee of the Mid-Columbia Library to present to the court named in the legal process, either in person or by means of deposition, certain specifically designated registration and/or circulation records involving a specifically named patron of the library.
 8. In the event the legal process fails to sufficiently identify or name in specific terms or specifications the records on file in respect to an identified library patron, this policy regards such request to be defective and not binding upon the library and its officers and employees, except under further due process of law.
 9. None of the foregoing shall be deemed applicable, however, to the communication of information among other libraries in the area relating solely to improper activities of users (such as falsifying names, addresses, failing to
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return materials or damaging materials), provided that the information is used by the libraries solely for the purpose of guarding against loss or damage to the other libraries involved, and is not in any way divulged or made public to any person, firm or corporation for any purpose, and providing further that the cooperating library or library districts enter into an agreement protecting the privacy of said records, and restricting the use solely to the protection and apprehension of improper or illegal activities regarding various library properties.

10. Any problems or conditions relating to the privacy of circulation records which are not provided for in this policy statement shall be referred to the Library Director, who upon proper study of the issues, and as necessary upon the advice and counsel of the Library's attorney, shall render a written decision as to whether to heed the request.