



George H. & Ella M.

Rodgers Memorial Library

INSPIRING IDEAS

Policy Number: 3

Policy Subject: Patron Confidentiality (Right to Privacy)

Adopted By: Library Board of Trustees	Revision Number: 1
Approval Date: July 21, 2021	Revision Date: July 21, 2021

1. Policy:

George H. & Ella M. Rodgers Memorial Library, hereinafter RML, recognizes the importance of confidentiality. Therefore, in accordance with RSA 201-D:11, RSA 202-A:3-a, RSA 33-A:3-a and RSA 91-A:5, all records containing names and personal identifying information will be treated as confidential and will not be disclosed unless requested by the patron, or required by court order, statute or emergency.

2. Procedure:

The Patron Confidentiality Policy of RML shall comply with all applicable federal, state and local laws. Records will be made available in the event a duly authorized request is received from a law enforcement agency accompanied by a subpoena, search warrant or court order.

Special circumstances such as emergencies involving public health and/or safety may require an immediate decision. In such cases, the Director or other designated RML staff member will be contacted and legal counsel will be consulted when possible. The Library Board of Trustees, hereinafter BOT, will be notified.

Information regarding any patron's materials usage is retained only as long as is necessary for library purposes.

For additional clarification, see below RSAs

RSA 201-D:11 – Library User Records; Confidentiality

- I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II.
- II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by or

consent of the user or pursuant to subpoena, court order, or where otherwise required by statute.

- III. Nothing in this section shall be construed to prohibit any library from releasing statistical information and other data regarding the circulation or use of library materials provided, however, that the identity of the users of such library materials shall be considered confidential and shall not be disclosed to the general public except as provided in paragraph II.

RSA 33-A:3a – Disposition and Retention of Municipal Records

LXVI. Library

- (a) Registration cards: current year plus one year
- (b) User records; not retained; confidential pursuant to RSA 201-D:11

RSA 202-A:3-a – Records and Meetings subject to Right-to-Know Law

A public library established or accepted by a town or city shall be deemed a “public agency,” and the library Trustees a “public body,” for purposes of RSA 91-A , and they shall be subject to all applicable provisions of that chapter; provided, however, that any books, documents, records, or other information maintained by a public library that is exempted or protected from disclosure by other provisions of law shall not be subject to disclosure under RSA 91-A:5.

RSA 91-A:5 – Exemptions

IV. Records pertaining to internal personnel practices; confidential, commercial, or financial information; test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations; and personnel, medical, welfare, library user and other files whose disclosure would constitute invasion of privacy. Without otherwise compromising the confidentiality of the files, nothing in this paragraph shall prohibit a public body or agency from releasing information relative to health or safety from investigative files on a limited basis to persons whose health or safety may be affected.