



Draft Update Proposed September 2019

Policy: Challenges to the Confidentiality of Library Records

Confidentiality

Confidentiality of library patron records is a basic principle of librarianship. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf. In a library, the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. When users recognize or fear that their privacy or confidentiality is compromised, true freedom of inquiry no longer exists. It is the Library's intention to uphold these rights of privacy and confidentiality by policy, procedure and practice. Users should be advised, however, that because complete security is technically difficult to achieve, the privacy of electronic transactions and files cannot be absolutely guaranteed.

Teton County Library recognizes two types of patron records: Integrated Library System (ILS) information and non-ILS information. ILS information includes catalog search and circulation records. Non-ILS information includes things such as internet searches and video footage.

- It is the policy of the Teton County Library that confidentiality extends to information sought or received, and materials consulted, borrowed or acquired, and includes database search records, reference interviews, circulation records, registration records, interlibrary loan records, Internet use, and other personally identifiable uses of library materials, facilities or services.
- Challenges to ILS record confidentiality will follow the guidelines of Wyoming State Library procedures in accordance with Wyoming state statutes.
- Challenges to the privacy of non-ILS records will not be made available to any individual, agency of state, federal or local government except pursuant to such process, order or subpoena as may be authorized under the authority of and pursuant to, federal, state or local law relating to civil, criminal, or administrative discovery procedures or legislative power.
- Names and addresses from any patron files maintained by the Library, including information from the ILS database, may be used from time to time by the Library for library purposes, including conducting patron surveys or notifying patrons of upcoming events.

Requests for Confidential Library Records

TCLIB protects each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted. The Library will provide information to law enforcement agencies when legally required, as outlined in the following:

1. ILS library records are held confidential by the Teton County Library in accordance with Wyoming Statute 16-4-203 D (Right of inspection; grounds for denial; access to news media; order permitting or restricting disclosure; exceptions): The custodian shall deny the right of inspection of the following records, unless

otherwise provided by law: (ix) Library patron transaction and registration records except as required for administration of the library or except as requested by a custodial parent or guardian to inspect the records of his minor child.

2. The Wyoming State Librarian is the custodian of ILS Data, and he/she is the only one authorized to release information from the ILS database. Confidential records and files shall not be made available to any individual, organization, entity, of any agency of federal, state, or local government except as required by law. All requests for confidential records from the ILS database will be immediately forwarded to the Wyoming State Librarian, custodian of such information.

3. Non-ILS confidentiality is extended to include the content of questions a patron asks of an employee (whether in electronic, print, verbally or in any other form), attendance at library programs, the presence of patron in the library, and video footage from security cameras.

4. Prior to release of non-ILS database information, the Library will take such action as is necessary to determine that any court order, process issued by any court or pursuant to any court rule or any agency of government requires that such records be made available, under the advisement of legal counsel. In the case of video footage from security cameras, please see the library's "Video Surveillance Policy".