

CITY OF LINCOLN ADMINISTRATION POLICY	NUMBER: 87
PREPARED BY: Kathryn K. Hunt	DATE: February 2, 2022
SUBJECT: CONFIDENTIALITY OF LIBRARY PATRON RECORDS	AUTHORITY : CITY MANAGER
	CITY MANAGER: Sean Scully

PURPOSE

The purpose of this administrative policy is to provide information and process that is in compliance with applicable federal, state, and local laws regarding the confidentiality of library patron records.

DEFINITION

Confidentiality of Library Patron Records: when the records of a person's identification and usage of the library is kept private on their behalf. This includes patron registration, circulation, computer usage, and material requests.

GENERAL POLICY

The Lincoln Public Library has the responsibility, under the California Public Records Act, to establish a policy that all registration and circulation records of the Lincoln Public Library are confidential. Such records, in any form, include patron registration, circulation, computer usage, and material requests.

Section 6267 of the California State Government Code reads:

All patron use records of any library which is in whole or in part supported by public funds shall remain confidential and shall not be disclosed by a public agency, or private actor that maintains or stores patron use records on behalf of a public agency, to any person, local agency, or state agency except as follows:

- (a) By a person acting within the scope of his or her duties within the administration of the library.*
- (b) By a person authorized, in writing, by the individual to whom the records pertain, to inspect the records.*
- (c) By order of the appropriate superior court.*

As used in this section, the term "patron use records" includes the following:

- (1) Any written or electronic record, that is used to identify the patron, including, but not limited to, a patron's name, address, telephone number, or e-mail address, that a*

library patron provides in order to become eligible to borrow or use books and other materials.

(2) Any written record or electronic transaction that identifies a patron's borrowing information or use of library information resources, including, but not limited to, database search records, borrowing records, class records, and any other personally identifiable uses of library resources information requests, or inquiries.

This section shall not apply to statistical reports of patron use nor to records of fines collected by the library.

Access to a patron record is allowed only by:

- Library staff acting within the scope of their duties;
- Written consent of the patron;
- Court order or other act of law; or
- In the case of an emergency that necessitates immediate access as approved by the Chief of Police where it is not possible to obtain a court order or to do so would endanger the safety of the public.

Staff may only provide a parent or guardian who has signed for a minor's or conservatee's library card with information concerning the minor's or conservatee's overdues, damaged items, and other charges.

The Director of Library Services should be contacted immediately if library staff receives any process, order, or subpoena. The Director will consult with city management and city legal counsel to determine if such process, order, or subpoena is proper legal authority. The implementation and interpretation of this policy is the responsibility of the Director of Library Services.