



Pikes Peak Library District Confidentiality

BOARD POLICY

Colorado state law requires Pikes Peak Library District to treat patron records and any other information that identifies a person as having used the library as confidential. As a trusted community resource, asset and partner, protecting patron confidentiality is a priority for all staff. Pikes Peak Library District strives to remove barriers to encourage all residents to become Pikes Peak Library District cardholders.

I. DISTRICT PROCEDURES

Concerning privacy of library user records, Colorado law (Colorado Revised Statutes 24-90-119) states:

Privacy of user records

(1) Except as set forth in subsection (2) of this section, a publicly-supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.

(2) Records may be disclosed in the following instances:

- a) When necessary for the reasonable operation of the library;*
- b) Upon written consent of the user;*
- c) Pursuant to subpoena, upon court order, or where otherwise required by law;*
- d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor.*

(3) Any library official, employee, or volunteer who discloses information in violation of this section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars.

II. GUIDELINES

A. In all cases, whether it be a request from a family member, a law enforcement agent, or a reporter, library staff is ethically and legally bound to protect the individual's right to privacy no matter how convincing the argument to release information. By protecting the

confidentiality of each borrower's record, Pikes Peak Library District assures borrowers that they may borrow materials based on their individual needs.

- B. Based on the law, staff cannot give information about a patron's use of the library or the patron's records to anyone other than the cardholder, unless (i) it is necessary for the reasonable operation of the library; or (ii) the written consent of the user has been provided; or (iii) pursuant to subpoena, upon court order, or where otherwise required by law.

- C. In addition, possession of a library card implies consent to provide information on the account, unless the staff has information to indicate that possession of the card was wrongfully obtained. Library staff may provide information on an account when the requestor gives the last name, library card number and the personal identification number (PIN) of another patron. Library staff will use their best judgment in determining whether the reasonable operation of the library makes it necessary for information about usage or records to be disclosed.

- D. Confidentiality and privacy provisions also apply to the personal borrowing records of staff members. If an employee has a "staff card" with extended borrowing privileges, the Circulation Services Manager may monitor this card for appropriate work-related use.