

CURRENT POLICY

CONFIDENTIALITY POLICY

Renewed by the Petersburg Public Library Board 12/1/21

Alaska Constitution

Article 1, Section 22. RIGHT OF PRIVACY.

“The right of the people to privacy is recognized and shall not be infringed.”

Alaska State Statute:

Section 40.25.140 CONFIDENTIALITY OF LIBRARY RECORDS.

Except as provided in (b) of this section, the names, addresses, or other personal identifying information of people who have used materials made available to the public by a library shall be kept confidential, except upon court order, and are not subject to inspection under AS 40.25.110 or 40.25.120. This section applies to libraries operated by the state, a municipality, or a public school, including the University of Alaska.

Records of a public elementary or secondary school library identifying a minor child shall be made available on request to a parent or guardian of that child.

TO CONFORM WITH THIS LAW, the following will be adhered to by all Petersburg Public Library staff:

Patron registration information and information concerning items checked out by any patron shall be considered confidential and will not be given out to anyone, including parents, guardians, spouses and law enforcement officers, without a court order or the patron's verbal consent.

Patrons requesting information about their own record (most commonly wanting to know what is checked out against it) may be given the information if:

They present their library card, or
are able to produce a picture I.D., or
they can be positively identified by library staff.

Parents cannot be given the titles of books their children have borrowed, except for the purposes of retrieving overdue materials and/or paying their fines. A parent may have access to his or her child's account if the child has given verbal consent. A child is defined as anyone less than 18 years of age.

No personal patron information including items checked out will be given over the phone unless staff is confident that confidentiality is upheld.

IF YOU ARE UNCERTAIN about whether to give out information or not from our patron files and records, you should not do so, but refer the matter to your supervisor.

For parents who object to not being given full access to their child's record, you can make the following suggestions:

The child may give verbal consent for the parent(s)/guardian(s) to access his or her library records. Staff will attach a message to the child's patron record stating that the child has given his or her consent.

The child can be instructed by the parent to ask for a printout listing all books out on the child's card,

Parent or guardian can request information about their child's library record from both the elementary school library and the high school library.

PROPOSED UPDATE

CONFIDENTIALITY OF LIBRARY RECORDS

Reaffirming the individual's right to read, listen, and view, the Petersburg Public Library declares that circulation and registration records of the library are confidential in nature, protected by the individual's right to privacy, and that these records are not to be disclosed to any person or agency, government, or other organization, under any circumstance, except upon order from a court of competent jurisdiction. Any costs the library incurs in any search shall be charged to the agency demanding such search. Authority for this policy is set in Alaska Statutes, Inspection and Copying of Public Records: Sec. 40.25.140. Confidentiality of library records, quoted below:

- (a) *Except as provided in (b) of this section, the names, addresses, or other personal identifying information of people who have used materials made available to the public by a library shall be kept confidential, except upon court order, and are not subject to inspection under AS 40.25.110 or 40.25.120. This section applies to libraries operated by the state, a municipality, or a public school, including the University of Alaska.*
- (b) *Records of a public elementary or secondary school library identifying a minor child shall be made available on request to a parent or guardian of that child. (sec. 1 ch 35 SLA 1985)*

To conform to the law: names, addresses, telephone numbers, or information concerning what items are on a patron's account or what a patron is reading will NOT be given out to anyone, including spouses and law enforcement officers, with the following exceptions:

- Patrons requesting information in person about their own accounts and are able produce their own library cards or identification.
- Patrons request information over the telephone about their own accounts and can provide the account number and PIN.
- Patrons email requesting information about their own accounts from the email address listed for the account and can provide the account number.
- Parents or legal guardians request titles of overdue, lost, or damaged items their minor children have borrowed, and the identity of the person can be verified as a parent or guardian listed on the minor's account.
- Patrons under the age of 18 may give verbal consent for the parent(s)/guardian(s) to access their library records. Staff will attach a message to the patron record stating that the child has given his or her consent.