

## Policy on the Confidentiality of Library Records - Oakes Public Library

The Oakes Public Library Board of Directors recognizes its responsibility to protect the privacy of each patron concerning personal records relating to use of library materials. The library profession has a long-standing commitment to an ethic of facilitating, not monitoring, access to information. This commitment is implemented locally through development, adoption, and adherence to privacy policies that are consistent with applicable federal, state, and local law. Everyone (paid or unpaid) who provides governance, administration, or service in libraries has a responsibility to maintain an environment respectful and protective of the privacy of all users. Users have the responsibility to respect each other's' privacy.

For administrative purposes, librarians may establish appropriate time, place, and manner restrictions on the use of library resources. In keeping with this principle, the collection of personally identifiable information should only be a matter of routine or policy when necessary for the fulfillment of the mission of the library. Regardless of the technology used, everyone who collects or accesses personally identifiable information in any format has a legal and ethical obligation to protect confidentiality.

Records are required for controlling the use of library materials both on and off the library premises. These records are not in any way intended for the purpose of monitoring a user's reading or pursuit of information. Circulation records are kept to protect public property. Summary statistics of library use are kept to measure organizational activity.

Any library record which includes a library user's name or information sufficient to identify a user together with the subject about which the user requested information, is exempted from the public records disclosure requirements of NDCC 44-04-18 pursuant to NDCC 40-38-12 and shall not be made available upon request of any person other than the patron.

However, library records shall be released when required pursuant to a court order or subpoena. Only the Library Director or her representative is authorized to release requested records pursuant to court order or subpoena. A complete record of the information released, a signed receipt form and a copy of the court order or subpoena will be retained in a file designated by the Director. Should any question arise concerning the court order or subpoena, the Library Director will consult the Library Board of Directors and the City Attorney.

The Library Board shall take steps to request that the issuing court grant an appropriate court order to assure that any information released pursuant to a court order or subpoena shall be limited to the specific need for which it was requested and further released only to a person with the need to know the information.

APPROVED BY THE LIBRARY BOARD OF DIRECTORS 6/15/21

**Receipt to Accompany Release of Library Records Pursuant to Court Order,  
Court-Sanctioned Subpoena or Search Warrant**

I, \_\_\_\_\_, representing (individual or organization) \_\_\_\_\_ at (address) \_\_\_\_\_ request that the Library Director, acting on behalf of the Library Board of Directors, release the following specific information from library records as specified in the accompanying court-sanctioned document:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(signature) \_\_\_\_\_

(date) \_\_\_\_\_