

CONFIDENTIALITY OF PATRON RECORDS POLICY

WRIGHT MEMORIAL PUBLIC LIBRARY

Records containing information on library patrons are not open to public review.

Ohio Revised Code Sec. 149.432 provides that library records containing user information are confidential and are not open to the public. This includes (a) information the library requires an individual to provide in order to be eligible to use library services or borrow materials; (b) information that identifies an individual as having requested or obtained specific materials or materials on a specific subject; or (c) information that is provided by an individual to assist a library staff member to answer a specific question or provide information on a particular subject.

In accordance with Ohio statute, library records or user information will only be released in the following situations:

1. Parents, guardians and custodians will have access to their minor children's records. The statute does not limit this right to parents who actually live with the child. Parents who do not have custody, who are separated, or who are divorced have the right to access their minor children's records. Guardian is defined by the Ohio Revised Code Sec. 2151.011(B)(16) as a person, association, or corporation that is granted authority by a probate court to exercise parental rights over a child to the extent provided in the court's order. Custodian is defined by Ohio Revised Code Sec. 2151.011(B)(11) as a person who has legal custody of a child, or a public children's agency or private child placing agency that has permanent, temporary, or legal custody of a child. The library reserves the right to request copies of court documents of legal appointments in its attempt to comply with state statute.

Persons requesting access to their minor children's patron information must possess the minor's borrower's card or the patron identification number. If the parent doesn't have the card or identification number, we will accept other identification such as a driver's license or Wright Library card, if that parent has been previously recorded as a "Designated Borrower" on the minor's library card. Legal documentation such as a birth certificate accompanied by proper ID from the parent may also serve as verification.

2. In accordance with a subpoena, search warrant, or other court order, OR to a law enforcement officer investigating a matter involving public safety in urgent circumstances involving an emergency situation affecting the public's welfare and safety. Upon receipt of such process, court order or subpoena, the library will consult with legal counsel to determine if such process, court order or subpoena is in proper form and if there is a showing of good cause for its issuance in a court of competent jurisdiction. If the process, court order or subpoena is not in proper form or if good cause has not been shown, the library will insist that any such defects be cured before the request is complied with. Proper identification of any law enforcement officer will be made before any information is released. All such requests for information must be referred to the Library Director.
3. With the consent of the individual who is the subject of the record or information. The library recognizes and honors opt-in confidentiality waiver agreements. Each person registering for a borrower's card can designate specific individuals to whom they grant access to their library records.

Designees requesting access to patron information must show identification for themselves in the form of their driver's license or Wright Library card. Access to patron information is permitted only upon verification that the cardholder has granted access permission to the individual.

4. For library administrative purposes. Patron record information is available to employees of the library for use in the ordinary conduct of library business.

Information may be shared with individuals and corporations outside the library, such as automation vendors in the normal course of database creation and management or agencies utilized in the collection of overdue materials and outstanding fees.

5. To document improper use of the Internet. Patron's names may not be released, but Ohio statute permits release of information on a patron's gender and age regarding improper use of the Internet.

If the Federal Bureau of Investigation under provisions of the USA PATRIOT Act serves the library with a search warrant, we may not disclose that such a warrant has been served or that records have been produced pursuant to the warrant. We are still allowed to consult legal counsel concerning the warrant and request that the library's legal counsel be present during the actual search provided for in the warrant. [This information was provided by the ALA Office of Intellectual Freedom and reviewed by their legal counsel.]

Adopted by the Board of Trustees August 16, 2004