

Confidentiality of Patron Records

The following is adopted as the policy of the Archbold Community Library in accordance with the powers granted to the Board of Trustees by state law:

All information contained in a patron record is confidential information and may only be released under the following limited circumstances:

1. A library record or patron information pertaining to a minor child when requested, in writing, by the parent, custodian, or guardian of the minor child; or in accordance with a properly issued subpoena, search warrant, or other order of a court of competent jurisdiction; or
2. To a law enforcement officer who is acting in the scope of the officer's law enforcement duties and who is investigating a matter involving public safety in exigent circumstances which do not permit the officer to obtain a search warrant or other order of a court of competent jurisdiction; or
3. The patron, other than a minor child or an incompetent adult, requests such records; or the patron, other than a minor child or an incompetent adult, executes a written signed release for such records to specifically-name other individuals or corporations or government entities; or
4. The Library needs to release the records for administrative purposes, including the establishment, maintenance, or transfer of the library records management system; or records that document improper use of the Internet at the Library, provided that patron identifying information is removed.

When the Library personnel are served with a subpoena, search warrant, or other order from a court of competent jurisdiction, they should immediately notify the Director. The Director will notify the Fulton County Prosecutor's Office for legal assistance in these cases.

For purposes of this policy, the following definitions apply:

- ⇒ Custodian - 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. Custodian is not a foster parent.
- ⇒ Library Record - is a record in any form, written, verbal, or electronic, that is maintained by the Library and that contains any of the following types of non-evaluative, identifying information:
 - information the Library requires a patron to provide to determine eligibility for services; or
 - information that identifies a patron as having requested or obtained specific materials or materials on a specific subject; or
 - information provided by a patron to assist a staff member to answer a specific question or provide information on a specific question.
- ⇒ Patron Information - is any personal identifiable information about an individual who has used any Library service or borrowed any Library materials. Non-specific age or gender information is not considered patron information.
- ⇒ Exigent Circumstances - those circumstances which are so urgent that a law enforcement officer must chose public safety over the rights granted by Ohio statute to an individual.
- ⇒ Guardian - a person, association, or corporation that is granted authority by a probate court pursuant to Chapter 2111 of the Ohio Revised Code to exercise parental rights over a child to the extent provided in the court's order and subject to the residual parental rights of the child's parents.
- ⇒ Internet - is the international computer network of both federal and non-federal interoperable packet switched data networks, including the graphical sub network called the World Wide Web.

- ⇒ Minor Child - anyone under the age of eighteen (18) years.
- ⇒ Incompetent Adult - any person who is so mentally impaired as a result of a mental or physical illness or disability, or mental retardation, or as a result of chronic substance abuse, that the person is incapable of taking proper care of the person's self or property or fails to provide for the person's family or other persons for whom the person is charged by to provide, and for whom the state has appointed a guardian through a county probate court.

This policy will be strictly enforced effective on the date below. Any questions of staff concerning the implementation of the policy should be addressed to the Director.

Adopted by the Board of Trustees on 12/15/2003