

Policy Manual Update: Confidentiality of Records (proposed)

This draft policy reflects updates recommended by the lawyer.

Final Proposed Policy:

CONFIDENTIALITY OF RECORDS

Information contained in library circulation records, registration records, and any other records identifying library users is excluded from mandatory disclosure pursuant to Virginia Code § 2.2-3705.7. Library service records are for the sole purpose of maintaining and conserving public property and are not to be used for identifying the titles or kinds of material or equipment used by individual library customers.

Receipt And Response to Judicial Process

CRRRL complies with valid court orders, subpoenas, and warrants served upon it while preserving customer confidentiality to the extent permitted and required by law. Any form of judicial process must be provided immediately to the Executive Director, Deputy Executive Director, and library counsel for action. No other staff member, except as specifically authorized by the Executive Director, is authorized to release library or customer information.

Electronic Monitoring and Voluntary Disclosure

While it is the policy of the Library to respect the privacy of customers pursuant to all applicable laws, it is also the responsibility of the Library to protect its electronic systems from unauthorized or criminal use and to make appropriate referrals to federal, state and local law enforcement authorities.

CRRL monitors its system for management purposes but does not monitor on a routine basis the use of the Library's electronic system by customers or staff. Voluntary disclosures of content and other information may be made in limited circumstances. The Library reserves the right to:

- Monitor as necessary to manage and to protect its systems from unauthorized or criminal use, and
- Make voluntary disclosures to federal, state and local law enforcement and national security authorities as deemed appropriate by library management and counsel.

Proposed with edits:

Lawyer recommended updates are red

CONFIDENTIALITY OF RECORDS

Information contained in library circulation records, registration records, and any other records identifying library users is ~~are~~ **excluded from mandatory disclosure pursuant to** ~~confidential in nature per~~ Virginia Code § 2.2-3705.7. Library service records are for the sole purpose of maintaining and conserving public property and are not to be used for identifying the titles or kinds of material or equipment used by individual library customers.

Receipt And Response ~~t~~To Judicial Process

CRRL complies with **valid court orders, subpoenas, and warrants served upon it** ~~all Constitutional judicial process~~ while preserving customer confidentiality to the extent ~~allowed~~ **permitted and required** by law. Any form of judicial process **must** ~~will~~ be provided immediately to the Executive

Director, Deputy Executive Director, and library counsel for action. No other staff member, except as specifically authorized by the Executive Director, ~~is authorized to~~ should release library or customer information.

~~No member of the Library staff is authorized to respond substantively to any form of judicial process or to provide any customer specific or library business information, in writing or in oral form, to a law enforcement officer or other person.~~

Electronic Monitoring ~~a~~ And Voluntary Disclosure

While it is the policy of the Library to respect the privacy of customers pursuant to ~~this state's~~ **all applicable laws** ~~library confidentiality statute~~, it is also the responsibility of the Library to protect its electronic systems from unauthorized or criminal use and to make appropriate referrals to federal, state and local law enforcement authorities.

CRRL monitors its system for management purposes but does not monitor on a routine basis the use of the Library's electronic system by customers or staff. Voluntary disclosures of content and other information may be made in limited circumstances. The Library reserves the right to:

- Monitor as necessary to manage and to protect its systems from unauthorized or criminal use, and
- Make voluntary disclosures to federal, state and local law enforcement and national security authorities as deemed appropriate by library management and counsel.

Current:

CONFIDENTIALITY OF RECORDS

Library circulation records, registration records, and any other records identifying library users are confidential in nature per Virginia Code § 2.2-3705.7. Library service records are for the sole purpose of maintaining and conserving public property and are not to be used for identifying the titles or kinds of material or equipment used by individual library customers.

Receipt And Response To Judicial Process

CRRL complies with all Constitutional judicial process while preserving customer confidentiality to the extent allowed by law. Any form of judicial process will be provided immediately to the Executive Director, Deputy Executive Director, and library counsel for action. No other staff member, except as specifically authorized by the Executive Director, should release library or customer information.

No member of the Library staff is authorized to respond substantively to any form of judicial process or to provide any customer-specific or library business information, in writing or in oral form, to a law enforcement officer or other person.

Electronic Monitoring And Voluntary Disclosure

While it is the policy of the Library to respect the privacy of customers pursuant to this state's library confidentiality statute, it is also the responsibility of the Library to protect its electronic systems from unauthorized or criminal use and to make appropriate referrals to federal, state and local law enforcement authorities.

CRRL monitors its system for management purposes but does not monitor on a routine basis the use of the Library's electronic system by customers or staff. Voluntary disclosures of content and other information may be made in limited circumstances. The Library reserves the right to:

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