

## POLICY CHANGE- 4/24/2024

### I. Confidentiality of Library Circulation Records

The Virginia Freedom of Information Act in the Code of Virginia § 2.2-3705.7 reads:

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01. Subdivision 3. Information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed or accessed material or resources from a library and (b) the material or resources such patron borrowed or accessed or (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

“Exclusions to application of chapter. A. The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law: 10. Library records that can be used to identify both (i) any library patron who has borrowed material from a library and (ii) the material such patron borrowed.”

#### POLICY STATEMENT

The Pamunkey Regional Library will preserve library user confidentiality to the fullest extent allowed by law.

#### REGULATIONS

1. Library personnel shall not reveal any personal data on library users or allow access to such records or files without the approval of the Director.
2. Any request and any form of judicial process which seeks to gain access to library circulation records or library user files must be referred immediately to the Library Director.
3. Upon request, parents or legal guardians may have access to the records of their children under the age of 18.

#### PROCEDURES

1. Library staff is only allowed to relate information about library ~~users and their use of the library from library~~ circulation files or records only to the individual library user or to the parents or legal guardians of the library user who is under the age of 18.

2. Staff may release this information ONLY in person with proper verification of identification (for example, phone or address associated with the account, driver's license, picture identification, or passport) of the requester provided.
3. Any request for such information from a person who is not the user or parent/guardian MUST be reported immediately to the Director or a Deputy Director Supervising Librarian. The requester must be referred to the Library Director.
4. Staff circulation records are confidential as are any other library user circulation records.

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