



whatcom county  
**library system**

## CONFIDENTIALITY OF PATRON RECORDS POLICY

**POLICY NUMBER: 5.01**

**SCOPE:** This policy outlines the manner in which the Whatcom County Library System will protect the confidentiality of library patrons pursuant to state and federal law.

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The Whatcom County Library System (also referred to as the “System”) upholds Washington state (the “State”) and federal laws intended to protect the privacy of individuals who access library materials. Privacy is essential to free speech, free thought, and free association.

The Whatcom County Library System collects information and maintains records in order to conduct operations of the library. These records include but are not limited to borrower registration records, circulation records, materials request lists, financial information, and computer booking records. While all these records are “public records” under State law, where the System’s primary purpose in maintaining these records is to maintain control of library materials or to gain access to information that discloses or could be used to disclose the identity of a library user, such records are exempt from disclosure under the State’s Public Records Act. Information from the exempt confidential records shall not be made available in response to a request from any individual, organization, entity, or any agency of federal, State or local government except as pursuant to a valid court order or other applicable legal authority under applicable State or federal law.

The System will take action as necessary to determine that any court order or process issued by any court or pursuant to any purported legal authority requires that such records be made available.

The System also maintains other public records that are not exempt from disclosure but that may contain personally identifiable information, such as information regarding financial transactions with the System.

As required by State law, the System retains and disposes of all public records, exempt or not, according to the current version of the *Local Government Common Records Retention Schedule (CORE)*. The System strives to minimize the amount of time during which it retains personal information of its patrons, while maintaining its compliance with CORE. The System supports the ALA’s Library Bill of Rights, its Freedom to Read statement, its Policy on the Confidentiality of Patron Records, and its interpretations of these that affirm the importance of patron privacy. Therefore, the System disposes of records that contain personal information, including financial records, names, addresses, phone numbers or other information that may tie a specific patron to library services, once they are no longer needed for System operations.

Any patron is entitled to information in the patron’s account, such as items on loan, items on hold, items overdue and fines. A parent or legal guardian may have access to the same information for his or her unemancipated minor child under the age of eighteen (18).

The System may enter into agreements with reputable third-party partners in order to provide certain services to library patrons. Information that a patron submits to a third party voluntarily is not subject to library control, and therefore the System cannot guarantee the same level of confidentiality and privacy. Patrons are encouraged to read and become familiar with the privacy policy of these third-party partners before submitting any personally identifiable information.

The System website contains links to external websites not maintained by the Whatcom County Library System. The System cannot be responsible for user privacy when visiting other websites. Once patrons link to another website, they are no longer subject to the System’s Confidentiality of Patron Records Policy, but the privacy policy or statement of the website to which they have linked.

Names and contact information of adult patrons eighteen (18) years of age or older may be extracted from the patron records for use by the Whatcom County Library Foundation for the purposes of notifying patrons of upcoming events in support of the System or one or more of its branches, or to invite patrons to monetarily support Whatcom County Library Foundation activities in support of the Whatcom County Library System. The System will not provide access to personal information to other groups unless required by law.

Library facilities are public places and persons entering Whatcom County Library System facilities have no expectation of privacy beyond the confidentiality of their library records as described in this policy.

The Executive Director is responsible for establishing administrative procedures necessary to carry out this policy.

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**STATUTORY REFERENCE:** RCW 42.56.050 Invasion of privacy, when; RCW 42.56.310 Library records.

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This policy incorporates edits made by the law firm of Hillis, Clark, Martin and Peterson (HCMP) made June 4, 2019.

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ADOPTED by the Whatcom County Library System Board of Trustees February 18, 2003.

**REVISED:** June 18, 2019; June 17, 2014; March 19, 2013; July 15, 2003.