

# **CONFIDENTIALITY OF LIBRARY RECORDS**

The Board of Trustees and administration of the Oshkosh Public Library recognize that the reading activity and interests of library users are and should be private, and that any attempt to invade such privacy without the demonstration of a direct and legitimate need is an invasion of the personal right of privacy of library users and the “right to read” implicitly guaranteed by the First Amendment of the United States Constitution. The Board of Trustees and the administration also affirm their adherence to Wisconsin State Statute S. 43.30 which reads as follows:

43.30 Public library circulation records. Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating which of its documents or other materials have been loaned to or used by an identifiable individual may not be disclosed except to persons acting within the scope of their duties in the administration of the library or library system or person authorized by the individual to inspect such records, or by order of a court of law.

The Board interprets those documents to include all transactions associated with use of library materials including interlibrary loan forms, records of reference questions, and other documents or electronic records which would link the individual with particular materials or services.

The automated circulation system acquired by the library does not maintain a historical record of the items borrowed by individual patrons. The return of non-overdue, undamaged material clears the borrowing record of the individual. Only a current transaction record is maintained.

Employees may permit an individual to view or know his/her or their child’s transaction record only upon presentation of the individual’s library borrower’s card. Corroborating identification may be required at the discretion of the employee. Information as to transaction activity (titles, number of items charged, existence of overdues or bills) will be given by telephone only if the caller can correctly state their name, address, telephone number, date of birth, and library card number. Patrons may only check on their own transaction accounts. Library staff will not knowingly give one patron’s transaction information to another patron.

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Requests for transaction information by law enforcement officials should be referred to the Director, Assistant Director or whoever is the ranking staff member in the library at the time. Any cost incurred by the Oshkosh Public Library in performing a court-ordered search may be billed to the agency requesting the search.

Employees need to be aware of the importance of this policy of not revealing patron reading or research interests in the employees' informal conversation as well as formal duties.

Written By:	John Nichols
Approved By:	Library Board
Amended/Modified:	
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