

Thomas Memorial Library
Confidentiality Policy
Rev. 11/2022

Statement of Purpose

In an age of increasing concerns about the privacy of individuals' records, the Thomas Memorial Library is committed to safeguarding all borrowers' records to the extent the law allows. The ethical responsibilities of librarians, the Maine State Statute regarding public library records, and the United States Constitution protect the privacy of library users.

Information Collected

The Thomas Memorial Library collects only information that is necessary to conduct efficient and effective library services.

This information includes:

- Name
- Address
- Email address
- Phone number
- Library card number
- Date of birth
- Materials currently checked out
- Billed items

Thomas Memorial Library maintains no record of those items that have been borrowed and returned unless a charge for a lost or damaged item was incurred. Access to patron information within the library is limited to a need-to-know basis, enforced by staff authorization passwords.

Requests for Library Records

- No records can be made available to any inquiries, including law enforcement, unless a subpoena or warrant has been served by a court of competent jurisdiction.
- Library representatives shall not honor requests from federal law enforcement officers unless a subpoena or search warrant is presented pursuant thereto.
- Records will be made available immediately upon presentation of a valid warrant.
- Records will be released in response to a subpoena after consultation with legal counsel.

It is the responsibility of all library staff to protect the privacy of the library's circulation records and registration materials identifying the names of library users with regard to specific materials. Access to such

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records will be given only to the cardholder, and to staff who need to access the records for library purposes. Exceptions to this policy will be granted only with the express written permission of the patron involved, or as a result of a court order. This policy is in keeping with the Maine State Revised Statute, title 27, section 21 that states:

"Records maintained by any public municipal library, including the Maine State Library, which contain information relating to the identity of a library patron relative to the patron's use of books or other materials at the library, shall be confidential. Those records may only be released with the express written permission of the patron involved or as the result of a court order. Public municipal libraries shall have up to 5 years from the effective date of this chapter to be in compliance with this section." 1983, c. 208.

In accordance with the ALA Code of Ethics, confidentiality extends to "information sought or received, and materials consulted, borrowed, or acquired,"* and includes database search records, interlibrary loan records, and other personally identifiable uses of library materials, facilities, or services. Parents should be aware that, since juvenile patron records are not specifically exempted in this statute, in keeping with the Library Bill of Rights, the library trustees have interpreted the statute to cover all patron records without exception.

* ALA Code of Ethics, adopted by the ALA Council June 28, 1995.

Reading History

Patrons may choose to opt-in to have their reading history retained as part of their library record for their own use. Once they have opted-in to this service, library cardholders can access this information by logging into their account online. This service is provided as a convenience to library users who wish to have a record of items they have borrowed. Library staff do not have access to this information via the library's circulation system.

Internet and Other Computer Resources.

Personally identifiable usage information related to computer searches is automatically collected in "temporary internet files," "history," and "cookies" folders on the library's public computers. These histories are cleared, and any downloaded information erased, daily when the public computers are shut down and restarted.

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Revised: *March 2022*

Voted for recommendation of approval by the TML Committee on: *May 26, 2022*

Amended by the Town Council Effective Date: *November 14, 2022*

Adopted by the Town Council Effective Date: *November 15, 2022*

Policy Review: This policy shall be reviewed at least every 5 years