

## **Confidentiality of Library Records Policy**

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### **General Statement of Policy**

Per Florida Statute 257.261 all registration and circulation records, except statistical reports of registration and circulation, are confidential information. It is the obligation of the Library to protect the user's right to privacy. In order to protect patron privacy regarding materials sought or checked out or confirming personal information contained in the patron's record, no account information or lists of items borrowed will be provided to the account owner without a valid Library card number or photo ID. Staff may require further account information in order to verify identity.

Library cardholders may allow another person to act as their agent in borrowing materials by loaning their card for this explicit use. Staff considers possession of a Library card permission to use it for borrowing materials but will not disclose information concerning a patron's account to anyone other than the account owner without consent. The circulation records of minors are also confidential. Staff may only provide the parent or guardian named in the record with the list of items borrowed on their child's card for the purpose of collecting fines or recovering overdue Library materials.

A proper judicial order is required for law enforcement to have access to registration and circulation records except as allowed by F.S. 257.261(3)(b)(4).

Adopted January 20, 1993; revised August 19, 2014; reaffirmed August 20, 2019

### **Florida Statutes, 257.261 Library registration and circulation records.—**

(1) All registration and circulation records of every public Library, except statistical reports of registration and circulation, are confidential and exempt from the provisions of s. 119.07(1) and from s. 24(a) of Art. I of the State Constitution.

(2) As used in this section, the term "registration records" includes any information that a Library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information that identifies the patrons who borrow particular books and other materials.

(3)(a) Except in accordance with a proper judicial order, a person may not make known in any manner any information contained in records made confidential and exempt by this section, except as otherwise provided in this section.

(b) A Library or any business operating jointly with the Library may, only for the purpose of collecting fines or recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the Library, disclose information made confidential and exempt by this section to the following:

1. The Library patron named in the records;
2. In the case of a Library patron less than 16 years of age, the parent or guardian of that patron named in the records;
3. Any entity that collects fines on behalf of a Library, unless the patron is less than 16 years of age, in which case only information identifying the patron's parent or guardian may be released;
4. Municipal or county law enforcement officials, unless the patron is 16 years of age, in which case only information identifying the patron's parent or guardian may be released; or
5. Judicial officials.

(4) Any person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 1, ch. 78-81; s. 1, ch. 89-18; s. 1, ch. 96-220; s. 112, ch. 96-406; s. 1, ch. 2003-13; s. 6, ch. 2003-126.