

# **Yavapai College Library**

## **Confidentiality of Library Records Policy and Procedures**

*Revised August 14, 2017*

### **Policy**

The Yavapai College Library recognizes that its circulation and other records identifying Library users are confidential in nature. According to American Library Association standards, confidentiality is essential to the individual's pursuit of information and knowledge. Confidential information shall not be released to any individual or agents of federal, state and local law enforcement agencies, without the approval of the Director of Library Services and sufficient documentation which proves that such records are necessary to the progress of an investigation or prosecution.

### **Procedures**

1. Confidential records may include, but are not limited to: database search records, circulation records, InterLibrary loan records and other personally identifiable uses of Library materials, facilities, or services.
2. Approval for any release of confidential library information rests with the Director of Library Services (hereafter referred to as *Director*) or designee. In the absence of the Director, the following order for designees shall be in effect:
  - a. On the Prescott campus, the Library Manager of Public Services & Instruction
  - b. On the Verde Valley campus, the Library Manager
3. Information concerning what a patron has checked out, either currently or in the past, will not be given out without the approval of the Director or designee.
  - a. In the case of a faculty member needing a Library item within a short period of time that has been checked out to another faculty member, the Library staff will contact the appropriate faculty member to see if it can be brought back for use.
4. The Library shall shred any documentation which contains: The patron's name, address, hold requests, items checked out, fines, etc.
5. The Library staff may release to employees of Registration, the Business Office and Financial Aid only the following information in the event that a student, faculty or staff member has a Library hold on their record:
  - Name
  - Address
  - Telephone number
  - Last 4 digits of the Student's ID number
  - Whether the person has fines or overdue material.
6. If YC Campus Police requests confidential information, they shall be referred to the Director (or designee). If Campus Police can demonstrate that there is a potential threat to the College community, the Director or designee will release this information.
7. If a person representing any law enforcement agency requests confidential information, the following procedures apply:

- a. If a Library staff member receives a request to examine or obtain information identifying Library users, the circulation history of an item, or a Library user, the staff member shall refer the requestor to the Library Director. If the Director is not available, then the staff member shall refer the requestor to the Director's designee.
- b. If the requestor is in a situation of extreme urgency, and neither the Director nor a designee is available, the staff member will contact the Dean, Computer Technologies and Instructional Support and/or the YC Human Resources Director, who shall be familiar with the Library's confidentiality policy.
- c. If the requestor provides a court order, process, or subpoena for confidential Library records, the Director or designee shall consult with the appropriate campus Dean and/or the Yavapai College Human Resources Director. The HR Director or Dean shall take legal counsel if required to determine if the court order, process, or subpoena is in good form, from a court of competent jurisdiction, and shows good cause for its issuance or references the USA Patriot Act of 2001 or subsequent revisions.
- d. The Director shall release the requested information if:
  - i. The order, process, or subpoena is in good form and shows good cause.
  - ii. The order, process, or subpoena is in good form, and makes reference to an investigation to protect against international terrorism or clandestine intelligence activities under USA Patriot Act of 2001 or subsequent revisions.
- e. If the order, process, or subpoena is not in proper form, or if good cause has not been shown, or reference to USA Patriot Act of 2001 or subsequent revisions has not been made, compliance with the above conditions shall be required before any records are released.
- f. If no court order, process, or subpoena is provided, then the request will not be filled. The Director or designee shall refer the requestor to the Yavapai College Human Resources Director, and to Campus Police if needed.

## References

- American Library Association's Policy Concerning Confidentiality of Personally Identifiable Information About Library Users, located at <http://www.ala.org/advocacy/intfreedom/statementspols/otherpolicies/policyconcerning> [as of 08/14/17].
- American Library Association's Policy on Confidentiality of Library Records, located at <http://www.ala.org/advocacy/intfreedom/statementspols/otherpolicies/policyconfidentiality> [as of 08/14/17].
- Yavapai College's Guidelines for the Implementation of the Family Educational Rights and Privacy Act (FERPA).
- Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, full-text located at the U.S. Government Printing Office official website [as of 08/14/17]  
[https://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107\\_cong\\_bills&docid=f:h3162enr.txt.pdf](https://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_bills&docid=f:h3162enr.txt.pdf)