

**NORTH LITTLE ROCK PUBLIC LIBRARY SYSTEM
PUBLIC SERVICES
CONFIDENTIALITY OF PATRONS' RECORDS**

The Library is committed to protecting the privacy and confidentiality of all visitors. This policy affirms the Library's responsibility to safeguard borrower records in compliance with Arkansas law and professional library standards.

Library circulation records and borrower application files are confidential. Such records shall not be disclosed except as expressly permitted by Arkansas Code Title 13, Chapter 2, Subchapter 7.

For purposes of this policy, confidential Library records include any document or information, in any format, that identifies a borrower as having requested, used, or obtained Library materials or services.

This includes, but is not limited to:

- Circulation records for books and other materials
- Computer and database search records
- Interlibrary loan transactions
- Reference questions and research requests
- Requests for photocopies or reproductions
- Title or item reserve requests
- Use of audiovisual materials, films, or recordings

A borrower is any individual who requests, uses, or receives services, materials, or other resources from the Library.

Staff Procedures

If any staff member receives a request for patron records from anyone other than the patron:

- The staff member shall not release any information;
- A supervisor shall be notified immediately;
- The supervisor shall determine whether the request complies with Arkansas Code Title 13, Chapter 2, Subchapter 7;
- An incident report shall be completed as soon as possible following the request, documenting the nature of the request and the Library's response.

Disclosure of Records

Confidential Library records shall not be released except in the following circumstances, as permitted by law:

- To the borrower to whom the records pertain;
- To any person with the informed, written consent of the borrower, provided at the time the disclosure is sought;
- To a law enforcement agency or civil court, pursuant to a valid search warrant;
- To a person who has received an automated telephone, email, or other electronic notice

regarding overdue or reserved materials, provided the requester can verify the telephone number or email address to which the notice was sent.

Records Management and Privacy Protections

The Library shall use circulation and recordkeeping systems that do not retain a link between a borrower and specific materials once those materials have been returned, as required by law. The Library will take reasonable administrative, technical, and physical measures to protect the confidentiality of borrower records.

Permitted Uses of Information

Nothing in this policy prohibits the Library or a business operating jointly with the Library from using or disclosing information for the limited purposes of:

- Collecting overdue materials;
- Collecting fines or fees owed to the Library;
- Contacting patrons by telephone, mail, or other medium to notify, inform, or educate borrowers, or to promote legitimate Library programs, services, and policies.

Aggregate, non-identifying statistics derived from registration or circulation records may be released or used for research, evaluation, or planning purposes, provided all personally identifying information has been removed.

Disclosure Prohibited

- Library records containing names or other personally identifying details regarding borrowers of public, school, academic, and special Libraries and Library systems supported in whole or in part by public funds shall be confidential and shall not be disclosed except as permitted by this subchapter.
- Public Libraries shall use an automated or Gaylord-type circulation system that does not identify a borrower with circulated materials after materials are returned.

Penalty

- Any person who knowingly violates any of the provisions of this subchapter shall be guilty of a misdemeanor and shall be punished by a fine of not more than two hundred dollars (\$200) or thirty (30) days in jail, or both, or a sentence of appropriate public service or education, or both.
- No liability shall result from any lawful disclosure permitted by this subchapter.
- No action may be brought under this subchapter unless the action is begun within two (2) years from the date of the act complained of or the date of discovery.

Use of Information in Evidence

Personally identifiable information obtained in any manner other than as provided in this subchapter shall not be received in evidence in any trial, hearing, arbitration, or other proceeding before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state or political subdivision of the state.

History. Acts 1989, No. 903, § 2; 2003, No. 677, § 1; 2009, No. 757, § 1; 2023, No. 372, § 6.

