



SECTION	POLICY #	SUBJECT
100 – Public Service		Confidentiality of Records

Confidentiality of Library Records

Newport News Public Library (NNPL) provides access to information resources and materials in a variety of formats for the free and unrestricted use by the public. The use of the public library, the choice of materials, and the use of information resources including computer use, are the concern of the library patron. NNPL will make every effort to ensure confidentiality to the fullest extent possible under the law.

All library cards and records are considered the property of the City of Newport News. Library records are public records under the Virginia Freedom of Information Act (FOIA). FOIA requires that public records be available for inspection and copying by citizens of the Commonwealth and media representatives, subject to certain exceptions. FOIA requests will be referred by the Library Director to the City of Newport News' FOIA officer.

FOIA allows a library to withhold a customer's borrowing records from FOIA requests, as detailed below:

- (3) Information contained in library records that can be used to identify*
 - (i) both (a) any library patron who has borrowed material from a library and (b) the material such patron borrowed or*
 - (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.*
- Code of Virginia, §2.2-3705.7.

NNPL will cooperate with local, state, and federal law enforcement agencies investigating crimes for the purpose of criminal prosecution. Information about a library patron that is excluded from mandatory disclosure under FOIA will be provided only upon subpoena or court order.

Collected Information

NNPL collects the following information about individual library patrons. This information is retained only for the period of time required to fulfill the purposes for which it was collected and is then destroyed according to record retention requirements established by the Library of Virginia.

1. NNPL collects the name, address, date of birth and, if supplied, e-mail address, phone number, and DMV number of each registered library patron. Such information is used in the by staff in providing a library card, which allows patrons to borrow from the library's collection or use the library's computers. Staff are responsible for protecting the confidentiality of all patrons. No patron's record shall be accessed for any purpose other than assigned work.

2. NNPL collects information about a patron's borrowing record, which includes items they have borrowed from the library, materials borrowed through interlibrary loan, or fines accumulated. Information about what a person may have borrowed is retained in accordance with state record retention guidelines.

Library patrons must provide a card number or demonstrate proof of identity to receive information about their own borrowing records.

Possession of a library card is considered consent by the patron to share such information with the person holding the library card.

Parents or guardians may view their children's borrowing record. An adult requesting information about a child's account must provide proper identification to establish their relationship to the child and the age of the child. If the patron is under the age of 18, the information in the patron's record may be released to the parent or legal guardian. If the patron is 18 years of age or over, the information in the patron's record will only be released at the patron's request or as may be required by law, subpoena, or court order.

3. NNPL collects information about items placed on hold to be borrowed by a patron. This information is not shared with anyone other than the cardholder, or the parents or guardians of a minor child.

4. NNPL collects information about public meeting space that a patron or member of the community may have reserved, as well as programs that people may have registered to attend. Records regarding meeting space reservations and program attendance may qualify as public records for purposes of the FOIA.

5. NNPL collects information about when an individual may have reserved a public use computer as well as how that computer has been used. NNPL may review the use of a particular computer to ensure that NNPL's [Acceptable Use Policy](#) is being upheld.

All history or cache files are erased once the browser has been closed, the session ended, and the computer is rebooted. Inquiries about computer use made through the appropriate channels must be made on the day of the usage so that an investigation may occur.

7. NNPL collects visual images through security cameras. These images are used by library and security staff to ensure the safety of staff and persons using the branch facilities. A subpoena or court warrant is required for viewing by law enforcement personnel.

8. NNPL collects photos of Library patrons at Library events and programs that are used for promotional purposes. Photos taken by library staff will not be used without the consent of the individual. See NNPL's [Photo and Video Policy](#).

APPROVAL

