

Barrington Public Library Privacy Policy

Barrington Public Library follows the New Hampshire laws (RSA 91-A:5 and RSA 201-D:11)* to safeguard the privacy of Library users. User records for all Library services at the Barrington Public Library are confidential and shall not be disclosed except upon request by or consent of the user as required by law.

Additionally, the Barrington Public Library accepts the American Library Association's Code of Ethics. As Article 3 states: "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted."

Privacy is essential to the exercise of free speech, thought, and association. The Library strives to create an environment where people can pursue knowledge on any topic without fear. Barrington Public Library provides confidentiality under the above law whenever we are in possession of information about users. This policy outlines patron privacy rights and the steps the Library will take to maintain that confidentiality within the confines of current law.

Our automated system maintains patron borrowing history for use by staff and individual patrons only. The Library's public computers merely ask users to consent to the user agreement, and do not register patron names or other identifying information. There is no retention of user history on the public computers.

In all cases, we avoid creating unnecessary records, retaining records not needed for the fulfillment of the mission of the Library, and we do not engage in practices that might place information on public view.

Information we may gather and retain about current Library users includes the following:

- User Registration Data
- Circulation Data
- Electronic Access Data
- Inter-Library Loan Records
- Museum Pass Use Records
- Reference Interview Information

We require certain personal information in order to provide borrowing privileges to patrons; patron information will never be shared, sold, or disclosed to a third party unless we are compelled to do so by a valid court order, or, the patron gives us express permission to do so.

Patrons have the option of providing us with an e-mail address for the purposes of notifying them about their Library account, or Library news. Patrons may request that we remove an e-mail address from their record at any time.

Patrons may access and update their personal information at any time. Patrons will be asked to provide some sort of identification before any changes are made to their account, or any information is disclosed concerning their account.

Patriot Act

The Barrington Public Library makes every effort to protect each patron's right to privacy, but the US Patriot Act does give FBI agents the right to access Library use records kept on file within certain parameters. It also forbids Library staff from divulging that these records have been obtained by including a gag order. Public libraries face the dilemma of having the responsibility of protecting the privacy of our patrons while responding to national security concerns. We take all possible steps to maintain patron privacy while adhering to current laws. Please be aware of what records are kept and that patron privacy may not be complete due to provisions of this law.

*** Section 91-A:5**

91-A:5 Exemptions. –

The following governmental records are exempted from the provisions of this chapter:

I. Records of grand and petit juries.

I-a. The master jury list as defined in RSA 500-A:1, IV.

II. Records of parole and pardon boards.

III. Personal school records of pupils, including the name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the assessment under RSA 193-C:6.

IV. Records pertaining to internal personnel practices; confidential, commercial, or financial information; test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations; and personnel, medical, welfare, library user, videotape sale or rental, and other files whose disclosure would constitute invasion of privacy. Without otherwise compromising the confidentiality of the files, nothing in this paragraph shall prohibit a public body or agency from releasing information relative to health or safety from investigative files on a limited basis to persons whose health or safety may be affected.

V. Teacher certification records in the department of education, provided that the department shall make available teacher certification status information.

VI. Records pertaining to matters relating to the preparation for and the carrying out of all emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

VII. Unique pupil identification information collected in accordance with RSA 193-E:5.

VIII. Any notes or other materials made for personal use that do not have an official purpose, including but not limited to, notes and materials made prior to, during, or after a governmental proceeding.

IX. Preliminary drafts, notes, and memoranda and other documents not in their final form and not disclosed, circulated, or available to a quorum or a majority of the members of a public body.

X. Video and audio recordings made by a law enforcement officer using a body-worn camera pursuant to RSA 105-D except where such recordings depict any of the following:

(a) Any restraint or use of force by a law enforcement officer; provided, however, that this exemption shall not include those portions of recordings which constitute an invasion of privacy of any person or which are otherwise exempt from disclosure.

(b) The discharge of a firearm, provided that this exemption shall not include those portions of recordings which constitute an invasion of privacy of any person or which are otherwise exempt from disclosure.

(c) An encounter that results in an arrest for a felony-level offense, provided, however, that this exemption shall not apply to recordings or portions thereof that constitute an invasion of privacy or which are otherwise exempt from disclosure.

XI. Records pertaining to information technology systems, including cyber security plans, vulnerability testing and assessments materials, detailed network diagrams, or other materials, the release of which would make public security details that would aid an attempted security breach or circumvention of law as to the items assessed.

XII. Records protected under the attorney-client privilege or the attorney work product doctrine.

XIII. Records of the youth development center claims administration and the YDC settlement fund pursuant to RSA 21-M:11-a, with the exception of settlement agreements, which shall remain subject to RSA 91-A:4, VI, and, after a claim has been finally resolved, such other records the release of which would not constitute a violation of other provisions of law or an unwarranted invasion of a claimant's privacy.

Source. 1967, 251:1. 1986, 83:6. 1989, 184:2. 1990, 134:1. 1993, 79:1. 2002, 222:4. 2004, 147:5; 246:3, 4. 2008, 303:4, eff. July 1, 2008. 2013, 261:9, eff. July 1, 2013. 2016, 322:3, eff. Jan. 1, 2017. 2018, 91:2, eff. July 24, 2018. 2019, 54:1, eff. Aug. 4, 2019. 2021, 163:2, eff. July 30, 2021. 2022, 122:3, eff. May 27, 2022.

***Section 201-D:11**

201-D:11 Library User Records; Confidentiality. –

I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II. Such records include, but are not limited to, library, information system, and archival records related to the circulation and use of library materials or services, including records of materials that have been viewed or stored in electronic form.

II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by or consent of the user or pursuant to subpoena, court order, or where otherwise required by statute.

III. Nothing in this section shall be construed to prohibit any library from releasing statistical information and other data regarding the circulation or use of library materials provided, however, that the identity of the users of such library materials shall be considered confidential and shall not be disclosed to the general public except as provided in paragraph II.

Source. 1989, 184:3, eff. July 21, 1989. 2009, 273:1, eff. July 29, 2009.