

## **Gafney Library**

### **Confidentiality of Library User Records Policy**

Pursuant to RSA 201-D:11, the library's circulation records and other records identifying the names of library users are confidential. (RSA 201-D:11)

This includes, but is not limited to, any information that a Library requires a Library user to provide in order to become eligible to borrow books and other material, and any information that identifies the Library user borrowing books and other material. All Library records relating to an individual Library user's use of the Library and its resources are confidential, including but limited to programming attendance. These records may be consulted and used by Library staff in the course of carrying out Library operations, but will not be disclosed to others except upon the request or consent of the Library user, or pursuant to subpoena, court order or otherwise required by law.

Effective January 1, 2026, in compliance with RSA 201-D:11 II-a, all library records related to a minor's current borrowing of printed library materials and/or audio-visual materials, such as DVDs and CDs, shall be made available to either parent or to the legal guardian of the minor when requested by either parent or the legal guardian of the minor.

A parent or legal guardian requesting library records of a minor will be required to complete the "Request for Minor Records" and show identification to demonstrate that they are the parent or a legal guardian of that minor. This may include 1) identification, such as a Gafney Library card or government-issued ID, that lists an address matching that on the minor's library account; 2) and that they are listed on the minor's library account by name. If their name is not listed on the minor's account, proof may include the minor's birth certificate naming the parent, or court order appointing the legal guardian. The Library will provide the printed list of materials within 5 business days of filling out the Request for Minor Records form. **This form must be completed each time a parent/guardian requests this information.**

In all instances and regardless of circumstances, it is the policy of the Gafney Library to safeguard access to patron library records and restrict access to that information only to the patron who owns the card or to the parent or legal guardian with consent of the minor.

No information concerning an individual borrower's records, or the contents of borrower's records, or the frequency or nature of questions asked by a library user, will be divulged by the library to any individual, corporation, institution, agency, or governmental agency without a valid process, order or subpoena.

Upon receipt of such process, order, or subpoena, the Library Director will consult with the Gafney Board of Trustees to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance.

# TITLE XVI LIBRARIES

## CHAPTER 201-D STATEWIDE LIBRARY DEVELOPMENT SYSTEM

### 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.

[Paragraph II-a effective January 1, 2026.]

II-a. All library records related to a minor's current borrowing of printed library materials and audio visual materials, such as DVDs and CDs, shall be available to either parent or the legal guardian of the minor when requested by either parent or the legal guardian of the minor, or the parent or legal guardian of the minor whose address matches that on the library account or who is listed on the library account.

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. 2025, 273:1, eff. Jan. 1, 2026.