

Privacy, Confidentiality and Retention of Personal and Usage Records Policy

FINALIZED 2026-04-21

- A. In accordance with RSA 201-D:11, ALA's Library Code of Ethics, and the Library Bill of Rights, the Pillsbury Free Library Staff and Trustees shall take all reasonable measures to protect the privacy and confidentiality of Library usage records, without regard to the user's age, race, national origin, gender, sexual orientation, religion, politics, or philosophy. (With the exception of RSA 201-D:11 paragraph II.a added 1 January 2026) CHAPTER 201-D

STATEWIDE LIBRARY DEVELOPMENT SYSTEM

Section 201-D:11 effective 2026-01-01

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 and IIa. 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.
- II. a All library records related to a minor's current borrowing of printed library materials and audio visual materials, such as DVD's and CD's, 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 I

Source. 1989, 184:3, eff. July 21, 1989. 2009, 273:1, eff. July 29, 2009, 273.2 Eff 2026-01-01

- B. Retention of users personal and usage information

As per RSA 33-A:3-a: LXVI Disposition of Municipal Records - paper copies of user registration are kept for a limited span of time and user borrowing records are not retained (a) Registration cards: current year plus one year.

- (b) User records: not retained; confidential pursuant to RSA 201-D:11

C. Definitions

Minor The federal definition of a minor is any person under the age of 18 years, as stated in 18 U.S.C. 22 56. (LINK: <https://legalclarity.org/18-u-s-c-2256-federal-definitions-of-child-exploitation/>)

Parent: Means mother, father, or adoptive parent, but such term shall not include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.

Legal Guardian: An individual with legal parental rights or court appointed guardianship of a minor child. The individual must have a legal document that shows them being the parent or legal guardian to access the minor’s current list of items checked out

Current Borrowing Records: A list of printed library materials and audio-visual materials, currently checked out to a library patron.

Library Records: In RSA:201-D.I “library records” are stated to be “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 in electronic form”

Confidentiality:

Confidential - Secret or private, often in formal business situations (American Heritage Dictionary)

Confidentiality - refers to the obligations of individuals and institutions to use information, that has been disclosed to them and is under their control, in a way that is secret or private. (Cambridge English Dictionary)

Sources: NH RSA 201-D:11 Library User Records (2009, 2026), ALA's Code of Conduct (2019), the Library Bill of Rights (2019), and ALA Code of Ethics (2021)

PFL Trustees Approved 2022-02

Revised & Updated 2026-04-21

ALA Code of Ethics: 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. ALA
Code of Ethics ALA and Code of Conduct - ALA 2021