

LIBRARY RECORDS

1. The Davis County Library retains administrative, financial, operational, and personnel documents and records, and makes them available to the public, in compliance with Davis County ordinances and relevant Utah State and federal laws.

2. In accordance with Section 63-2-302 (1) ©, Utah Code Annotated, or such other provision as may be adopted by the Utah Legislature, which defines as private “records of publicly funded libraries that when examined alone or with other records identify a patron,” the Davis County Library will disclose the following records only when requests comply with the conditions established in Section 63-2-201 (5), Section 63-2-202, or Section 63-2-206, Utah Code Annotated or such other provision as may be adopted by the Utah legislature or the federal government:

Registration Records, including but not limited to the names, addresses, telephone numbers, names of spouses and dependents of individuals who have applied for library cards.

Circulation Records, including but not limited to materials checked out to a patron, materials checked out in the past to a patron, the names of patrons to whom a particular title is or has been checked out, the library borrowing patterns of a patron, and materials on in-house loan to a patron.

Patron Financial Records, including but not limited to a patron’s fine history, amounts paid, methods of payment and dates of payment.

Operational Records related to patrons, including but not limited to registration for programs, documentation on patron-related circulation and behavior problems, and correspondence on patron-related circulation and behavior problems.

3. When in response to a patron’s request for information, the patron’s registration, circulation, financial, or operational records are discussed in a public area with the patron, an individual with legal responsibility for the patron, or an individual authorized to use the patron’s library card, the conversation is not considered “disclosure” of a private record in terms of this policy. The Library will share information regarding a patron’s record with another individual, a) in response to a grant of authority to do so as evidenced by a legal power of attorney or a notarized statement that will be honored for up to 90 days; or b) when the patron has authorized

the individual to check out materials on his or her behalf as evidenced by item-specific information shared by the patron that identified the materials. This policy will be implemented based on guidelines established by the Library Director.

4. In accordance with Section 63-2-801, Utah Code Annotated, or such other provision as may be adopted by the Utah Legislature, the Davis County Library may pursue available legal remedies against an individual who by false pretense, bribery, or theft, gains access to any private, controlled, or protected record retained by the Library. The decision to pursue legal remedies is made in consultation with the Office of the Davis County Attorney. When legal action is taken under the provisions of this policy, the Board of Directors will be so notified and, if circumstances so warrant, will be asked by the Library Director to formally approve the action.
5. In accordance with Section 63-2-801, Utah Code Annotated, or such other provision as may be adopted by the Utah Legislature, the Davis County Library may pursue available legal remedies against a Library staff member who intentionally discloses or provides a copy of any private, controlled, or protected record retained by the Library to any person knowing that such disclosure is prohibited. The decision to pursue legal remedies is made in consultation with the Office of the Davis County Attorney. When legal action is taken under the provisions of this policy, the Board of Directors will be so notified and if circumstances so warrant, will be asked by the Library director to formally approve the action.
6. All requests made for records made under the Patriot Act need to be referred to the Director or the Assistant Director.

Approved by Davis County Library Board June 2, 1992; revised August 20, 2002; revised June 20, 2006; revised August 19, 2008.