

MARTIN COUNTY LIBRARY SYSTEM

TO: ALL LIBRARY STAFF
FROM: JENNIFER SALAS, LIBRARY DIRECTOR
PREPARED BY: RICHARD REILLY, LIBRARY OPERATIONS & SERVICES ADMINISTRATOR
SUBJECT: RELEASE OF INFORMATION POLICY

EFFECTIVE DATE 07/17/2003
Revised 09/28/2011
Revised 06/13/2016

PURPOSE:

To establish guidelines for the administration of library records retention, access to public records, and confidentiality of patron records.

AUTHORITY:

Library Board of Trustees, Florida Statute 257.261, Florida Statute 119.01, Florida Dept. of State General Schedule for State and Local Government Agencies GS1-SL and General Schedule for Public Libraries GS15, and Martin County Records Management Policy.

POLICY:

It is the policy of the Martin County Library System to provide access to library records while protecting patron privacy.

Definition

Public record means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency (Florida Statute 119.011(12)).

Access to Public Records

Florida's Public Records Law provides for citizens to have a virtually unlimited access to the records of governments. Florida Statute 119.07(1)(a) states:

Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.

A public record would be defined as any document whether hard copy or electronic utilized in the transaction of official business by the Martin County Library System.

Confidentiality of Patron Records

Florida Statute 257.261 provides privacy protection for patron's registration and circulation records. It states:

- (1) All registration and circulation records of every public library, except statistical reports of registration and circulation, are confidential and exempt from the provisions of s. 119.07(1) and from s. 24(a) of Art. I of the State Constitution.
- (2) As used in this section, the term "registration records" includes any

information that a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information that identifies the patrons who borrow particular books and other materials. (3)(a) Except in accordance with a proper judicial order, a person may not make known in any manner any information contained in records made confidential and exempt by this section, except as otherwise provided in this section. (b) A library or any business operating jointly with the library may, only for the purpose of collecting fines or recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the library, disclose information made confidential and exempt by this section to the following: 1. The library patron named in the records; 2. In the case of a library patron less than 16 years of age, the parent or guardian of that patron named in the records; 3. Any entity that collects fines on behalf of a library, unless the patron is less than 16 years of age, in which case only information identifying the patron's parent or guardian may be released; 4. Municipal or county law enforcement officials, unless the patron is 16 years of age, in which case only information identifying the patron's parent or guardian may be released; or 5. Judicial officials. (4) Any person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Records Retention

The Martin County Library System follows county directed policy for Records Management which indicates adherence to guidelines established by the State of Florida's schedule of document retention (GS1-SL and GS15).

The Martin County Library System will not retain protected records beyond the time period for which it is necessary for proper operations. Disposition of records will be completed in accordance with the staff guidelines.

PROCEDURE:

See Guidelines:

Access to Public Records Guidelines for Public Services Staff
Records Retention Guidelines for Administrative Staff

APPROVED BY: _____
Jenn Salas, Library Director

DATE:

APPROVED BY: _____
Library Board of Trustees

DATE: