

Sample Conduct Reconsideration Confidentiality Policies

Sample Patron Conduct, Reconsideration, and Confidentiality Policies (Generic NH Templates)

Note: Three portable templates for adaptation by any NH public library. Each is grounded in ALA guidance and applicable NH statutes. **None is a substitute for legal review by town or library counsel.**

A. Sample Patron Conduct Policy

Purpose

The [Library Name] is a welcoming environment for all members of the community. This policy establishes expectations for patron behavior so that all users may enjoy the Library and its services.

Authority

Adopted under NH RSA 202-A:11. Consistent with Article V of the ALA Library Bill of Rights: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

General Expectations

All patrons are expected to:

- Treat staff and other patrons with courtesy and respect
- Use Library materials and equipment responsibly
- Maintain a noise level appropriate to the area of the Library
- Comply with reasonable requests from staff
- Refrain from conduct that disrupts the Library experience for others

Prohibited Conduct

The following conduct is prohibited on Library premises:

- Conduct that violates federal, state, or local law
- Threats, intimidation, harassment, or stalking of staff or other patrons
- Use of obscene or threatening language directed at any person
- Physical violence or the threat of physical violence
- Theft, vandalism, or damage to Library property
- Smoking, vaping, or use of illegal substances
- Possession of weapons except as permitted by law

- Solicitation, panhandling, or distribution of unauthorized printed materials
- Bringing animals into the Library, except service animals or as part of a Library program
- Bathing, washing clothing, or shaving in Library restrooms
- Sleeping in a manner that obstructs Library use by others
- Improper attire (no shirt, no shoes)
- Use of personal audio devices at a volume audible to others
- Photography or videography of patrons without consent (subject to separate policy)

Children

Per ALA's Free Access to Libraries for Minors Interpretation, the responsibility for a child's behavior in the Library rests with the parent or legal guardian. The Library's Unattended Children Policy applies in addition to this policy.

Consequences of Violation

A patron who violates this policy may be:

- **1. Verbally warned** by staff
- **2. Asked to leave** the Library for the day
- **3. Suspended** from Library use for a defined period (Director may suspend up to [e.g., 30 days]; longer suspensions require Board action)
- **4. Banned** from Library use indefinitely (requires Board action with notice and opportunity for hearing)

Suspension or banning decisions are appealable to the Board of Trustees.

Law Enforcement

The Library will contact law enforcement when conduct constitutes a crime, threatens immediate safety, or after a patron refuses to leave when properly directed.

Review

Reviewed every [interval] by the Board of Trustees. Adopted [date].

B. Sample Reconsideration of Materials Policy

Purpose

The [Library Name] welcomes patron feedback about its collection. This policy provides a fair, transparent process for patrons who wish to formally request reconsideration of an item in the collection.

Authority and Framework

Adopted under NH RSA 202-A:11. Consistent with the ALA Library Bill of Rights and the ALA Challenged Resources Interpretation. The reconsideration procedure conforms to NH RSA 91-A.

Statement of Principle

The Library affirms that:

- Individuals have the constitutional right to express opinions about Library resources
- The Library will respectfully consider community objections and complaints
- The Library will not allow controversy alone to dictate policy
- Materials that meet the criteria of the Collection Development Policy will not be removed under legal or extra-legal pressure
- Reconsideration procedures will not be used to suppress constitutionally protected expression

Eligibility to Request Reconsideration

Any resident of [Town/City] who holds a valid Library card may submit a Request for Reconsideration of an item in the collection.

Procedure

Step 1: Informal Discussion

A patron with a concern is encouraged to first discuss it informally with the Library Director.

Step 2: Written Request

If the patron wishes to proceed formally, the patron completes a *Request for Reconsideration of Materials* form, available at the Circulation Desk and on the Library website.

The form requires the patron to:

- Identify the specific item
- Confirm they have read, viewed, or listened to the item in its entirety
- State the specific objection
- State the desired outcome

Anonymous requests will not be processed.

Step 3: Review by Director

The Director reviews the request, the item, and applicable selection criteria. The Director responds in writing within [e.g., 30 days].

Step 4: Appeal to the Board

If the patron is not satisfied with the Director's response, the patron may appeal in writing to the Board of Trustees within [e.g., 30 days] of the Director's response.

The Board's review is conducted in public session under RSA 91-A. The patron and the Director are entitled to present their positions. The Board's decision is final.

Treatment of Materials During Review

The challenged item remains in the collection during the reconsideration process.

Limit on Repeat Requests

A given item shall not be the subject of a new reconsideration request for [e.g., 3 years] following a Board decision unless circumstances have materially changed.

Volume Limits

To prevent abuse of the reconsideration process (including the use of automated tools to generate requests), no patron may submit more than [e.g., 5] reconsideration requests in a [e.g., 12-month] period without Board approval.

Records

All reconsideration requests, responses, and decisions are public records subject to RSA 91-A. The patron's identity is included in those records.

Review

Reviewed every [interval] by the Board of Trustees. Adopted [date].

C. Sample Confidentiality of Library Records Policy

Purpose

The [Library Name] protects the privacy and confidentiality of its users in accordance with state and federal law and professional ethics.

Authority

Adopted under NH RSA 202-A:11. Implements NH RSA 201-D:11 (confidentiality of library user records) and Article VII of the ALA Library Bill of Rights.

Statement of Confidentiality

In accordance with NH RSA 201-D:11, **all records of the Library that contain the names or other personal identifying information regarding the users of the Library are confidential** and shall not be disclosed except:

- **1.** With the written consent of the user
- **2.** Pursuant to a court order
- **3.** As otherwise required by law

Records Covered

This policy applies to, but is not limited to, the following records when they contain personally identifiable information:

- Circulation and lending records
- Reference inquiries and reference interview records
- Interlibrary loan records
- Computer and internet use records, sign-up logs
- Database search histories
- Library card registration records
- Program and event registration records
- Meeting room reservation records
- Online catalog account activity
- Email correspondence with patrons regarding their use

Staff Responsibilities

Library staff shall:

- Not discuss any patron's specific use of Library resources except as necessary to perform their duties
- Not share patron identifying information with any third party except as authorized by this policy
- Not enter patron personally identifying information into any third-party tool, including AI tools, that is not contractually bound to confidentiality consistent with RSA 201-D:11
- Promptly refer any external request for patron records to the Library Director

Court Orders, Subpoenas, and Law Enforcement Requests

Any court order, subpoena, or law enforcement request for patron records shall be referred immediately to the Library Director, who shall:

- 1. Verify the legal sufficiency of the request
- 2. Notify town or library counsel
- 3. Notify the Board Chair if appropriate
- 4. Comply only as legally required

The Library shall not voluntarily provide patron records to law enforcement absent a valid court order.

Vendor and Contract Requirements

All vendor agreements that involve access to or processing of patron records (ILS providers, e-resource platforms, programming registration, AI-enabled tools, payment processors) shall include language requiring the vendor to:

- Maintain confidentiality consistent with RSA 201-D:11

- Not use patron data for purposes beyond providing the contracted service
- Not retain patron data longer than necessary
- Notify the Library promptly of any data breach

Records Retention

The Library retains patron records only as long as necessary for the operation of Library services. The Records Retention Schedule (separate document) governs specific retention periods.

Patron Access to Their Own Records

A patron may inspect their own records at any time, with appropriate identification.

Public Records Requests

Requests for Library records under RSA 91-A that would require disclosure of confidential patron records shall be denied as to those confidential records, citing RSA 201-D:11. The Library shall comply with the public-records request to the extent possible without disclosing confidential information.

Review

Reviewed every [interval] by the Board of Trustees. Adopted [date].