Library Records
Retention, Confidentiality and Disclosure

Records Retention (RSA 33-A:3-a):

Library registration cards: current plus one year.
User records: not retained.
Cash receipt and disbursement book: 6 years after last entry, or until audited.
Checks: 6 years.
Federal form 1099s and W-2s: 7 years.
Insurance policies: permanently.
Invoices and bills: until audited plus one year.
Job applications – unsuccessful: current year plus 3 years.
Job applications – successful: retirement or termination plus 50 years.
Payrolls: until audited plus 1 year.
Personnel files: retirement/termination of employee plus 50 years.
Time cards: 4 years.

Confidentiality:

A. RSA 91-A:5, IV:
   • States that “library user” records are exempt from disclosure under the Right to Know Law.
   • Does not define “library user” records, no court opinions on this.
   • Could include things like user names, addresses, telephone numbers, materials borrowed, fines paid, other?

B. RSA 201-D:11:
   I. Names or other personal identifying information regarding users is confidential and should not be disclosed except as provided in paragraph II. This information includes but is not limited to: library, information system and archive records related to circulation and the use of library materials, including electronic materials.
   II. Disclosure is permitted as necessary for library operations, or by the consent of the user, or by subpoena/court order, or as required by statute.
   III. Statistical information may be released so long as it does not identify any individuals.
Disclosure – Specific Examples:

A. Record of fines paid by each user: confidential under RSA 201-D:11 and RSA 91-A:5, IV.

B. Aggregate information about how much the average person paid in fines during a year, or how much the library received in fine payments, or the highest fines paid by a user: probably public so long as the information contains nothing to identify any particular user, because there are no exemptions under RSA 91-A:5, and may be disclosed under RSA 201-D:11, III if users not identifiable.

C. Records regarding appropriations requested, appropriations voted, revenues received from any source (including funds from town, donations, user fees, fines, book sale proceeds, etc.), expenditures, amounts in trust accounts, etc.: all should be public. Library is part of the town and is a “public agency” under RSA 91-A:1-a, V, so its records are generally public.

D. Salaries and names of employees: public.

E. Background checks performed on prospective employees: confidential according to RSA 41:9-b, the statute allowing towns to perform background checks. (RSA 189:13-a, parallel statute for schools.)

F. Copies of town documents, such as minutes or tapes of public meetings (selectmen, etc.): Is it the “official” copy? Probably not. Does it pertain to the library’s business? Probably not. Therefore, probably just like any other library material that the public may look at, not an RSA 91-A issue. People should be referred to town offices for official records under 91-A.