

Disposal of Personal Identifying Information Policy

Colorado law changes on September 1, 2018, to require the library district to have a written policy requiring the deletion/destruction of library district records containing personal identifying information. This policy applies to ALL Poudre River Public Library District records, paper or electronic, that contain personal identifying information as defined below.

Unless otherwise required by state or federal law or regulation, the library district's records custodian (The Executive Director or his/her designee) shall ensure the destruction or proper disposal of those paper and electronic documents containing personal identifying information per this **Disposal of Personal Identifying Information Policy**.

DEFINITIONS:

"Litigation Hold" means Records that may be pertinent to any anticipated, pending, or ongoing litigation, claim, complaint procedure or other legal proceeding. Laws require the preservation of such records, and such records may not be destroyed, even if the record is otherwise eligible for destruction under the Records Retention Schedule and even if the record should have been previously destroyed. The library district will consult with legal counsel if there is a question regarding the destruction of records involving possible legal actions.

"Personal Identifying Information" means a social security number; a personal identification number; a password, a passcode; an official state or government-issued driver's license or identification card number; a government passport number; biometric data, an employer, student, or military identification number; or a financial transaction device.

This policy is applicable to all library district departments and offices.

1. Library district records that contain personal identifying information shall be maintained and destroyed in accordance with the library district's Records Retention Schedule. Consult with the library district's legal counsel if there are any questions regarding the destruction of records potentially subject to a Litigation Hold. Records may be directly or indirectly related to pending or threatened litigation which would at least temporarily prohibit destruction. This exception would override the Library District's Records Retention Schedule.
2. Per CRS 24-73-101(1), paper or electronic documents containing personal identifying information must be destroyed by shredding, erasing, or otherwise modifying the personal identifying information rendering the personal identifying information unreadable or indecipherable through any means.
 - a. When no longer needed, electronic media shall be destroyed by the Information Technology Department and/or the library district's contracted vendor or recycler.
 - b. When eligible for destruction per the library district's record retention schedule, paper documents containing personal identifiable information shall be destroyed by the recycling vendor contracted by the library district.
3. Per CRS 24-73-101(2), library district records, otherwise regulated by state or federal law which establish procedures for the disposal of personal identifying information, are deemed in compliance with this policy.