

BANCROFT PUBLIC LIBRARY

CONFIDENTIALITY OF LIBRARY RECORDS

Computerization/automation has made it easier to store and retrieve library records which track and recover library property. Consequently, the library must diligently control access to patron records and protect the privacy rights of library users. Circulation records and other information relating the name of a person and his/her library use are confidential and access shall be limited to those needs essential for library operation.

Records shall not be made available to any individual or agency of federal, state, or local government except pursuant to such process, order, or subpoena as may be authorized under the authority of and pursuant to federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative power. The library shall resist the issuance or enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in court of competent jurisdiction.

The Library Director shall issue any procedures required to implement this policy using state law and the guidance put forth by the Joint Automation Council of the Mohawk Valley Library System and the Southern Adirondack Library System regarding disclosure of library records.

"It's The Law..."

The New York State Confidentiality Law protects the privacy rights of library users. This law prohibits the release of any information relating the name of a person and his/her library use without a properly executed subpoena from a court of law. Under this law, librarians cannot:

- tell a third party whether a person has a library card
- write the name of a borrower on a book card which is placed in the book
- tell a parent what his/her child has borrowed, even if it is overdue
- send a reserve notice or overdue reminder on a postcard if the postcard contains the title of the book
- reveal the nature of someone's reference question to another person

This law makes it quite clear that a person's library use habits are strictly private; there are no exceptions for children or anyone else. It applies to every library in the state, without exception. All library personnel should be aware of this. "

Adopted: July 11, 2017

Reaffirmed: May 10, 2022