

Memorial Library of Nazareth & Vicinity
Policy on: Circulation Services

3.0

- 3.07 Definition and Purpose of Policy on Confidentiality of Library Records
- 3.08 Approval Date: October 22, 2002
- 3.09 Revised Date: December 23, 2003; This policy may be revised from time to time.

3.07 Definition and Purpose of Policy on Confidentiality of Library Records:

To ensure that all records relating to patron registration and the subsequent use of and circulation by patrons of materials provided by the Library are considered confidential in nature.

The Library specifically recognizes the confidentiality of records related to circulation of Library materials that contain the names or other personally identifying details regarding the users of the in accordance with Pennsylvania law:

Pennsylvania Law, (24 Pa. C.S.A. Stat. Section 4428) provides for the confidentiality of library circulation and use records.

Title 24; Pennsylvania Statutes

Section 4428 Library circulation Records

Records related to the circulation of library materials which contain the names or other personally identifying details regarding the users of the State Library or any local library which is established or maintained under any law of the Commonwealth of the library of any university, college or education institution chartered by the Commonwealth or the library of any public school or branch reading room, deposit station or agency operated in connection therewith, shall be confidential and shall not be made available to anyone except by a court order in a criminal proceeding.

1962, June 14 P.L. 324. No.188, section428, added 1984, June 27, P.L.431, No. 90, section 3, immediately effective.

This policy follows the recommendations of the Intellectual Freedom Committee of the American Library Association.

The Library's definition of library requests includes items borrowed, interlibrary loans, database searching, "electronic searching" reference requests and any other records which track or identify library users of any library service.

The Library record of a child has the same confidentiality protection under Library policy as that of any other patrons with the following exception.

Parents or legal guardians are permitted access to the records of their minor children through the age of 17 (seventeen). The parent/legal guardian must be accompanied by the child, provide the child's Library card, and or provide other acceptable identification. In the case of o telephone inquires, Library card number and verification of the child's address, telephone number and date of birth are required.

The Library recognizes that parents or legal guardians who have signed their minor children's applications have assumed the financial responsibility for materials charged out to the

children's cards; therefore, parents or legal guardians will be provided with specific information about their minor children's Library Records when materials are overdue or lost.

No library employee shall reveal the identity of a borrower or any other information relating to the borrower to any requestor except as permitted in this policy and required by proper legal order or subpoena as may be authorized under the authority, and pursuant to, federal, state or local law relating to civil, criminal, or administrative discovery procedures or legislative power.

Upon receipt of such process, order or subpoena, the library's officers will consult with their legal counsel if such process, order or subpoena is in proper form and if there is showing of good cause of its issuance; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured.

Changes to the policy may occur when adhering to the USA Patriot Act.

Policy

This policy may be revised from time to time.

3.08 Approval Date: October 22, 2001:

Approved 10-22-02

3.09 Revised December 23, 2003:

Revised and Approved 12-23-03

ADDENDUM

PROCEDURE IN EVENT OF REQUEST FOR INFORMATION BY LAW ENFORCEMENT WITH RESPECT TO PATRIOT ACT

1. Tell the requestor: "I must find the staff member in charge."
2. The staff member in charge must ask the requestor to provide documentation of identity and make a copy of it; also copy any subpoena or other court order.
3. Tell the requestor: "I must follow our policy to comply with your request."
4. Call in this order until you get a person on the phone who can deal with this **NOW:**
 - Board President
 - Board Vice-President
 - Board Secretary
 - Board Treasurer
 - Remaining Board members, from most senior to least senior
5. The Board member (s) will consult with legal counsel to confirm the legal legitimacy of the request.
6. Upon confirmation from our Counsel and Board that the request is legitimate, comply with the request.
7. Document all details of the exchange, including for example, the time the request is made, place the request is received, all material/equipment taken and any and all consequences of compliance.