

Ontario Public Library

Policy 4070

CONFIDENTIALITY OF LIBRARY RECORDS

The Board of Trustees recognizes the importance of recognizing and enforcing the principle of confidentiality of all transactions by library users:

- Library personnel will create internal records for the purpose of tracking and recovering library property;
- Such internal records which identify the names and other personal information regarding library users is confidential;
- Confidentiality includes, but is not limited to records relating to the circulation of library materials, computer data base searches, interlibrary loan transactions, reference queries, requests for photocopies, reserve requests or the use of in-house electronic resources such as the internet.
- Parents and guardians of children under the age of 13 may view their children's Library records.
- Parents and guardians of children between the ages of 13 and 17 (inclusive) may also view their children's Library records, **but require their child's consent to do so.**
- All library employees shall be advised that such records shall not be made available to any agency of federal, state or local government;
- The Library Director shall resist issuance or enforcement of any such process, order, or subpoena until such time as the proper showing of good cause has been made in a court of competent jurisdiction, with the option of appeals residing with the Board of Trustees.

Confidentiality of Patron Records, Including Minors:

New York State Civil Practice Law & Rules Section 4509:

"Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college & university libraries & library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential & shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library & shall be disclosed upon request or consent of the user or pursuant to subpoena, court order, or where otherwise required by statute."