

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.
- All library personnel with Evergreen access will read the OWWL Library System Access and Confidentiality of Library Records Policy and sign Staff Acknowledgment Form. (Appendix 4070.1)

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."

POLICY ADOPTED: 03/25/1983

REVISED: 02/25/2025

REVIEWED:

Board of Trustees
Ontario Public Library
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Appendix 4070.1 Staff Acknowledgment Form

System Staff Acknowledgment Form

I understand that my access to data, information, and records (all hereinafter referred to as Information) maintained in the manual and automated information and records systems (all hereinafter referred to as the System Information Systems) of the OWWL Library System is limited by my needs for the information in the performance of my job duties.

By my signature below, I affirm that I have been advised of, understand, and acknowledge the following terms and conditions of my access to Information contained in the System Information Systems.

- 1) I will use my authorized access to Information Systems only in the performance of the responsibilities of my position as an employee of a member library or direct employee of the System.
- 2) I will comply with all controls established by the System regarding the use of information maintained within the System Information Systems.
- 3) I will avoid disclosure of Information to unauthorized persons without the appropriate consent of the Information owner except as permitted under applicable the System policy and Federal or State law. I understand and agree that my obligation to avoid such disclosure will continue even after I leave the employment of a member library or the System.
- 4) I will exercise care to protect Information against accidental or unauthorized access, modifications, disclosures, or destruction.
- 5) When discussing Information with other employees in the course of my work, I will exercise care to keep the conversation private and not overheard by others who are not authorized to have access to such information.
- 6) I understand that any violation of System policies related to the appropriate release of or disclosure of Information may result in one or more sanctions, including immediate termination of my access to the System Information Systems, criminal penalties, or civil liability.

I affirm that I have been given the opportunity to review the Systems and Confidentiality of Library Records Policy and other NYS and the System policies referenced therein, and I further affirm that my questions about those policies have been answered to my satisfaction.

Employee Name

Title

Employee Signature

Date