

Oil Region Library Association

CONFIDENTIALITY OF PATRON RECORDS

Purpose:

To ensure that all records relating to patron registration and the subsequent use of and circulation by patrons of materials provided by the Oil Region Library Association (ORLA; referred to as "the Library") are considered confidential in nature.

References:

- 24 Pa. Cons. Stat. Sec. 4428: Library circulation records
- American Library Association, Code of Ethics, Section III
- American Library Association, Confidentiality of Library Records Policy (52.4)
- American Library Association, Privacy: an Interpretation of the Library Bill of Rights

Statement of Policy:

1. The Board of Trustees of ORLA specifically recognized the confidentiality of records related to circulation of Library materials that contain the names or other personally identifying details regarding the users of the Library in accordance with Pennsylvania law: 24 Pa. Cons. Stat. Sec. 4428.
2. The Board of Trustees supports the concept of intellectual freedom and the right of each citizen, regardless of age, to free access to information without fear of intimidation or recrimination. the Library's confidentiality policy safeguards the first amendment and privacy rights of Library users. The Library advises employees, volunteers and patrons that all Library records that contain names or other personally identifying details regarding the users of the Library are confidential.
3. The Board of Trustees of ORLA further subscribes to the American Library Association Library Code of Ethics, Section III, which states, "We protect each Library user's right to privacy and confidentiality with respect to information sought or received and materials consulted, borrowed, acquired, or transmitted."
4. In all instances and regardless of circumstances, ORLA safeguards access to patron Library records and restricts access to that information to only the patron who owns the Library card and provides that card or to the parent/guardian of a minor child with the stipulations and exceptions specified below in sections 7 and to linked household members specified below in section 8.

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5. No patron records will be made available to federal, state, or local law enforcement agencies except by a court order as required by law.
 - a. Court orders from law enforcement officers will be referred to the Executive Director who will consult legal counsel. Other Library employees will not provide any patron records to law enforcement agencies under any circumstances.
 - b. The Library will take such action as is necessary to determine that any court order or process issued by any court or pursuant to any court rule or any agency of government requires that such records be made available.

6. When Library employees or volunteers speak either in person or on the telephone to anybody other than the patron, or to persons who cannot produce their Library card numbers and provide other identification, information regarding
 - a. items charged out
 - b. items overdue
 - c. fines
 - d. holdswill be restricted as to information that does not reveal the content, such as number of items or figures for fines owed. Addresses, phone numbers, or any other personal information from patron records will not be given out under the above circumstances. When a patron is unable to confirm his or her identity as required, a printout of the requested information may be mailed to the patron using the mailing address provided in the Library's registration records.

7. The Library record of a child has the same confidentiality protection under Library policy as that of any other patron with the following exception.
 - a. Parents or guardians are permitted access to the records of their minor children through the age of 17 (seventeen). The parent/guardian must provide the child's Library card, and/or provide other acceptable identification. In the case of telephone inquiries, Library card number and verification of the child's address, telephone number, and date of birth are required.

 - b. ORLA recognizes that parents/guardians who have signed their minor children's registrations have assumed the financial responsibility for materials charged out to their children's cards; therefore, parents/guardians will be provided with specific information about their minor children's Library records when materials are overdue or lost.

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8. ORLA links all household members within the current Integrated Library System (ILS). All members in the household (or specific apartment) must be in good standing in order for any member to use their Library card. The Library record of a linked member within the same household has the same confidentiality protection under Library policy as that of any other patron with the following exception.
 - a. Linked household members are permitted access to the records of their linked members to the extent of the number of items currently on loan and the total amount of fines owed to the Library.
9. Adult patrons may waive their rights to the confidentiality of their library records and grant them to another adult cardholder by executing a limited waiver form, set forth in Appendix II. The limited waiver form must also be executed by the adult who will be permitted access to the adult patron's otherwise confidential library records.
10. No patron may use this policy to steal Library materials. Reference: [18 PA. Cons. Stat. Sec 3929.1: Library Act] In the event of theft, the Library will release to the appropriate law enforcement officers the relevant patron records, including the name and address of the person committing the theft and a list of materials stolen with the replacement costs.
11. All patrons are required to read and sign the patron agreement (Appendix I) that is on the back of their Library Card and similarly printed on the Library card registration form.

APPENDIX I

Patron Agreement

By signing this card I accept responsibility for all use made of it, and promise to take good care of all materials I borrow, to pay promptly all fines or damages charged to me, and to give prompt notice of change in my address

Signature

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APPENDIX II

Waiver of Right of Confidentiality of Library Records

I, _____, hereby grant a limited waiver of my right to have my records at ORLA remain confidential in accordance with 24 Pennsylvania Consolidated Statutes, Sec. 4428, and ORLA's Confidentiality of Patron Records Policy.

This limited waiver is granted to allow _____ to represent my interests regarding library materials I have signed out, put on reserve, or have not returned to the library in a timely manner (overdue).

I may revoke this limited waiver at any time by written notes to the Oil Region Library Association.

Cardholder's Signature

Dated:

Cardholder's Name

Address

Witness:

Telephone Number

Library Staff Person

I accept the limited waiver granted to me by _____ as set forth above.

Cardholder's Signature

Dated:

Cardholder's Name

Address

Witness:

Telephone Number

Library Staff Person