

# Greensburg Hempfield Area Library

## Confidentiality Policy

**Policy Number: 3**

**Policy Last Updated: June 9, 2015**

**Purpose:** 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.

### References:

24 Pa. Cons. Stat. Sec. 9375: Library circulation records

American Library Association, Code of Ethics, Section III

American Library Association, Confidentiality of Library Records Policy (B.8.5)

American Library Association, Privacy: an Interpretation of the Library Bill of Rights

### Statement of Policy:

1. The Board of Trustees of the Greensburg Hempfield Area 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 Library in accordance with Pennsylvania law: 24 Pa. Cons. Stat. Sec. 9375.
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, patrons, and vendors 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 the Library 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, the Library 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/legal guardian of a minor child with the stipulations and exceptions specified below in section 7.
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.

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Court orders from law enforcement officers will be referred to the Library Director who will consult legal counsel. Other Library employees or vendors will not provide any patron records to law enforcement agencies under any circumstances.

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 authorized designee), or to persons who cannot produce their Library card numbers and provide other identification, information regarding items charged out, items overdue, fines, and/or holds, the library employee is then restricted as to what information can be provided to the caller.

The information may not reveal information such as number of items or figures for fines owed or books on hold for the patron. Addresses, phone numbers, or any other personal information from patrons' records will not be given out under the above circumstances.

When a patron is unable to confirm his or her identity as required, a print-out of the requested information may be mailed to the patron using the mailing address or the e-mail 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 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 or legal guardian must be accompanied by the child, 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.

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 their 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.

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8. 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.
9. No patron may use this policy to steal Library materials. Reference: [18 PA. Cons. Stat. Sec 3929.1: Library Theft] 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.
10. All patrons are required to read the patron agreement (Appendix I).  
Completing, signing and submitting a registration card signifies agreement.

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### APPENDIX I

#### **PATRON AGREEMENT**

A Library card permits the borrowing of valuable material that is public property and must be returned. The cardholder is financially responsible for Library property charged out to his/her card. The parent/legal guardian who endorses a child's application is financially responsible for materials charged out to the minor (under the age of 18) child.

Parents or legal guardians assume responsibility for deciding what Library resources are appropriate for their children, including information accessible through the Internet.

The confidentiality of Library records is protected by law and the administrative policies of the GHAL. This safeguards your rights to free speech and privacy. In order to safeguard access to Library records, only the patron who owns the Library card, or in the case of overdue or lost books, the parent/legal guardian of a minor, will have access to his/her record upon verification of the Library card number. All other information will be restricted to that which does not reveal the content.

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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 the GHAL remain confidential in accordance with 24 Pennsylvania Consolidated Statutes, §9375, and Policy Number \_\_\_\_\_ of the GHAL.

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 notice to the GHAL.

\_\_\_\_\_  
Cardholder's Name

\_\_\_\_\_  
Cardholder's Signature      Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Library Staff Person