

Confidentiality of Library Records

In recognizing the Library's position of special trust with members of the public, the Trustees of the Hicksville Public Library wish to clarify their policy and responsibility with regard to confidential information about patrons (and patron use of library resources) that comes into the Library's possession.

As the choice of books and other library materials, along with the use of the informational resources of the library, is essentially a private endeavor on the part of each individual patron, the library shall make every reasonable and responsible effort to see that information about that patron and his choices remains confidential. For people to make full and effective use of library resources, they must feel unconstrained by the possibility that others may become aware of the books they read, the materials they use and the question they ask. The awareness of the existence of such a possibility inhibits free usage of the library, its resources and facilities, and is contrary to the ALA Library Bill of Rights, the ALA Freedom to Read Statement, and New York State Civil Practice Law and Rules 4509 which reads as follows:

§ 4509. Library records. Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and 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 and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

Therefore, the Trustees of the Hicksville Public Library has adopted the following guidelines concerning the disclosure of information about library patrons:

No information regarding or including the following shall be divulged:

1. A patron's name (or whether an individual is a registered borrower or has been a patron)
2. A patron's address
3. A patron's telephone number
4. The library's circulation records and their contents
5. The library borrower's records and their contents
6. Records and information relating to a patron's computer database searches, interlibrary loan transactions, reference inquiries, requests for photocopies of library materials, title reserve requests, or the use of audiovisual materials, films or records.

7. The frequency or content of a patron's lawful visits to the library or any other information supplied to the library (or gathered by it) .

The above information shall not be given, made available or disclosed to any individual, corporation, institution, government agency or agency except to the extent necessary for the proper operation of the Library or upon written request or consent of the patron pursuant to a Court or subpoena or where otherwise required by statute. Upon presentation of a Court order for subpoena, the library may, in its discretion, resist its enforcement until such a time as proper showing of good cause has been made in a court of competent jurisdiction.

All library employees (and volunteers who work in its behalf) are hereby directed therefor to comply with these guidelines. The Trustees recognize that it is through continued assurance that these guidelines are being upheld that the public can maintain its trust in the public library. This, therefore, is vital to the library's role in the community and the community's right to know.

Adopted by the Board of Trustees May 11, 1988

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