

**South Fayette Township Public Library  
Confidentiality of Library Records Policy**

<b>Title</b>	Confidentiality of Library Records Policy
<b>Date Approved</b>	1994
<b>Last Amended</b>	June 12, 2012
<b>Prepared by</b>	Rebecca Long, Library Director; Board of Directors

**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. 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 Right

**STATEMENT OF POLICY:**

1. The South Fayette Township Library Board 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. 4428.

2. The South Fayette Township Library Board 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 South Fayette Township Library Board 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 South Fayette Township Library Board safeguards access to patron Library records and restricts access to that information

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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.

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

5.2. 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

- . items charged out
- . items overdue
- . fines
- . holds

will 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 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 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.

7.1. Parents or legal guardians are permitted access to the records of their minor children through the age of 17 (seventeen). The parent/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.

7.2. The South Fayette Township Library Board 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.

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

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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 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.

10. All patrons are required to read and sign the patron agreement that is printed on the Library card registration form.

**APPENDIX I**

**PATRON AGREEMENT**

A Library card permits the borrowing of valuable material that is public property and must be returned. By accepting this library card, I agree to be fully responsible for all items borrowed on this card, including overdue fines and replacement costs. I will promptly notify the library of a lost or stolen card and pay the fee set by the Library to replace my card. I understand my card may be revoked and that I will lose my privilege to use the library, its facilities and collection if I fail to comply with the conditions of this agreement.

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.

As a parent or legal guardian, I agree to be fully responsible financially and otherwise, for items checked out on this card. I shall be responsible for this child's activities at the Library and understand that the library is not responsible if I leave them unattended. I further understand that the library does not act "in loco parentis" and that it is the exclusive responsibility of parents and guardians to guide their children's reading, video and computer use

Cardholder's signature \_\_\_\_\_

Date \_\_\_\_\_

Parent/guardian signature if applicant is a minor

\_\_\_\_\_

Print Parent's name \_\_\_\_\_

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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 South Fayette Township Public Library remain confidential in accordance with 24 Pennsylvania Consolidated Statutes, §4428, and Confidentiality of Library Records Policy of the South Fayette Township Public Library.

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 South Fayette Township Public Library.

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

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

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Address

Witness:  
\_\_\_\_\_

Library Staff Person

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

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

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

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Address

Witness:  
\_\_\_\_\_  
Library Staff Person