

2. Will be given the opportunity, at the option of the patron, to address the Board at its next regularly scheduled meeting following the temporary denial. Privileges will be suspended until the patron makes an appearance. Following such meeting, the Board will take appropriate action. The President will notify the individual(s) as to the Board's decision.
3. Will be given the opportunity to appeal the Board's decision. Within 30 days, a formal request for a hearing before the Board and the it's attorney will be sent to the Board President.


C. Public and Community Relations

The Library has a Community Bulletin Board available in the vestibule of the main entrance. With permission from an authorized staff member, the following information may be posted:

1. Business card size advertisements from "for-profit" businesses.
2. Flyers and event postings for "non-profit" organizations.
3. Library events

There will be no soliciting of donations by outside groups at the Library without prior approval of the Library Director.

No printed political endorsements or political fund raising advertisements will be displayed.



Confidentiality of Library Records - Policy

The choice of books and other library materials, and the use of the informational resources of the library are essentially an individual's private matter. The library shall make every reasonable and responsible effort to see that information about a patron and his or her choices remains confidential.

Practice

In accordance with Chapter 112, Section 4509, of the New York State civil practice law and rules (as described herein and attached), no information about a library patron, regarding or including the following, shall be given, made available, or disclosed to any individual, corporation, institution, government agency, or agency without a court order or a court-ordered subpoena or without advice of the Library's attorney.

- a. A patron's name (or whether an individual is a registered borrower or has been a patron).
- b. A patron's address

- c. A patron's telephone number.
- d. The library's circulation records and their contents relative to any patron.
- e. The library's records pertaining to a patron and relative to reference queries; title records; reserve requests; use of audiovisual materials, films, or records.
- f. The number or character of questions asked by a patron.
- g. 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).

Upon presentation of a valid court order or court-ordered subpoena, the Library Director shall consult with the Library's attorney to determine the possible avenues of relief from the order until such a time as proper showing of good cause has been made in a court of competent jurisdiction.

Public access to general library records is governed by the Freedom of Information Law of the State of New York as interpreted in the Resolution adopted by the Board of Trustees (05/17/90).

All library employees are instructed to comply with the guidelines set forth in this policy and practice statement. Library service records shall be disclosed only as necessary for the customary functioning of the library (e.g. for the prompt retrieval of overdue materials or payment of fines, or for the recovery of lost material).

- **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, (Added L 1982, c. 14, o 1; amended L 1988, c.112 o 1)

New York State Civil Practice Law and Rules
Chapter 112

Please see "addendum to Policies Document I - Patriot Act and FISA guidelines"

Confidentiality and Coping with Law Enforcement Inquiries Guidelines
for the Library and its Staff
(Patriot Act and FISA Guidelines)

Increased visits to libraries by law enforcement agents, including FBI agents and officers of state, county, and municipal police departments, are raising considerable concern among the public and the library community. These visits are not only a result of the increased surveillance and investigation prompted by the events of September 11, 2001 and the subsequent passage of the USA Patriot Act, but also as a result of law enforcement officers investigating computer crimes, including email threats and possible violations of the laws addressing online obscenity and child pornography.

These guidelines, developed to assist libraries and library staff in dealing with law enforcement inquiries, rely upon the ALA's *Policy on the Confidentiality of Library Records*, its *Policy Concerning Confidentiality of Personally Identifiable Information*, and the *Code of Ethics*.

Fundamental Principles

Librarians' professional ethics require that personally identifiable information about library users be kept confidential. This principle is reflected in Article III of the *Code of Ethics*, which states that "[librarians] protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired, or transmitted."¹

Currently, 48 states and the District of Columbia have laws protecting the confidentiality of library records, and the Attorneys General of the remaining two states, Hawaii and Kentucky, have ruled that library records are confidential and may not be disclosed under the laws governing open records. Confidential library records should not be released or made available in any format to a federal agent, law enforcement officer, or other person unless a court order in proper form has been entered by a court of competent jurisdiction after a showing of good cause by the law enforcement agency or person seeking the records.

General Guidelines

Confidentiality of library records is a basic principle of librarianship. As a matter of policy or procedure, the library administrator should ensure that:

- The library staff and governing board are familiar with the *ALA Policy on Confidentiality of Library Records*, the *Policy Concerning Confidentiality of personally Identifiable Information About Library Users*, and other ALA documents on users' privacy and confidentiality.

¹While library registration records are not included in this policy, libraries must be cautious about making these records available to third parties.