CONFIDENTIALITY OF PATRON RECORDS & STAFF CONFIDENTIALITY AGREEMENT

NEW YORK STATE CIVIL PRACTICE LAW & RULES 4509

§ 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.

The New York State Confidentiality Law protects the privacy rights of library users. The Library shall make all reasonable attempts to keep patron circulation, registration records and other patron inquiry records confidential unless court ordered. This policy shall not be construed as a guarantee by the Library to its patrons of any absolute right to privacy. The Library is not responsible for information gained from a patron record by anyone other than the patron if the patron has lost or loaned his/her card or if someone has obtained the patron information by illegal or inappropriate methods.

This law prohibits the release of any information relating the name of a person and his/her library use without a properly executed subpoena from a court of law.
Under this law, librarians, staff, volunteers and board members cannot:

- Tell a third party whether a person has a library card
- Tell a third party what a person has borrowed or is currently borrowing
- Reveal the nature of someone's reference question to another person
- Tell a third party the nature of photocopies, print jobs or fax jobs
- Given the nature of parental/guardian responsibility for a minor's fines and fees, information can be made available to the parent/guardian
- Spouses may pay fines and fees but should not be given title information or the receipt; the blank Fines Screen can be shown to the patron after the transaction is complete

Board and committee members, employees and volunteers shall use confidential information solely for the purpose of performing services related to the Parma Public Library. This policy is not intended to prevent disclosure where disclosure is required by law.

Board and committee members, employees and volunteers must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information.
- Conversations in public places should be limited to matters that do not pertain to information of a sensitive or confidential nature
- Those involved with the Parma Public Library should be sensitive to the risk of inadvertent disclosure and should, for example, refrain from leaving confidential information on desks or otherwise in plain view

Adopted by the Parma Public Library Board of Trustees March 7, 2017.

All patron information, Board and management work – including but not limited to strategic and operating reports and plans, finances, correspondence, work of committees and task forces – shall be considered confidential and shall not be discussed with any individual or organization until the Board – or its designated representative the Executive Director – determines that such information is public.

At the end of an individual's relationship with the Parma Public Library, s/he shall return all documents, papers, and other materials – regardless of the medium –, which may contain or be derived from confidential information.

It is understood that violation of any clause of this Confidentiality Agreement is cause for disciplinary review and possible termination from the Parma Public Library.

I understand that my signature constitutes acceptance of these conditions.

Print Name:_____

Signature:_____

Date:_____

Adopted by the Parma Public Library Board of Trustees March 7, 2017.