



**Wood Library Association
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Canandaigua, NY 14424
Phone: 585-394-1381 FAX: 585-394-2954**

PATRON CONFIDENTIALITY POLICY

ADOPTED by Wood Library Board of Trustees 03/19/2013; AMENDED 11/23/2020

Commitment to Privacy

Protecting your privacy is important to us. This notice explains our information practices, what information the library collects, and how the library uses that information. In New York, the confidentiality of library records is governed by New York CPLR 4509, which reads as follows:

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.

All users are advised that any library record or other information collected by the Library as described herein is subject to disclosure pursuant to subpoena, court order, or as otherwise authorized by applicable law. The Executive Director and the Executive Assistant have been designated to respond to court approved requests for borrower related information.

The Information We Collect

This policy applies to all information collected by or submitted to Wood Library Association in person or on the Library's website and will be considered confidential. The types of personal information collected are:

- Name
- Address
- Email address
- Phone number

- Library card number
- Driver's license number or other identification number
- Date/year of birth
- Materials currently checked out
- Last patron to check out an item
- Transaction details on the fines due and overdue materials
- Transaction details on the fines paid or waived
- Items on hold awaiting pickup
- Attendance logs and participations in programs
- Existence of library patron account
- Record of donations
- Transaction details related to donations, including credit card and bank account information
- Pledge commitment documentation

How We Use Your Information

We do not share information collected with outside parties, except: (1) with written authorization of the library user, (2) by court order, (3) under U.S.A. Patriot Act, or (4) as otherwise required by Law. Information is used for library purposes. You will be notified of overdue materials, library events, fund drives, and general communication via library mail or email. All patrons reserve the right to opt out of any form of library notifications.

Employee Confidentiality Agreement

All Pioneer Library System (PLS) Member Libraries and their staff, in order to have access to PLS information systems, are required to read the PLS Confidentiality of Library Records Policy and agree to its contents (see Appendix I). Agreement indicates their understanding that access to these systems, manual and automated, containing Personally Identifiable Information (PII) and other library record data is limited to the requirements of their job, and such information is not to be disclosed to unauthorized persons. Only authorized library staff have access to information systems containing PII.

Updating Your Information and Preferences

Users who would like to update their information must visit the library to fill out a change of address form. Please be sure to bring a photo ID with proof of your current mailing address.

Parents and Child Library Card Information

The library protects the privacy and confidentiality of children as well as adults.

The Library requires a parent or legal guardian to authorize a child 10 years old or in grades 5 and under to obtain a library card by signing the child's library card application. A parent or legal guardian of a child 10 years or under who wishes to obtain information regarding their child's library materials must present valid identification at the time of their request.

For children who are 10 years and under, the Library will disclose that child's current circulation records upon request from the child's parent or legal guardian who 1) originally authorized the child to obtain a library card, or 2) presents the child's card at the time of the request, or 3) is accompanied by the child to whom the circulation records pertain.

Patrons 11 years and up are able to apply for and receive library cards without a parent's signature if they meet our identification requirements. If your child is 11 years and up then the Library cannot disclose your child's circulation records without your child's written authorization.

APPENDIX I

Pioneer Library System Board of Trustees
Policy: Confidentiality of Library Records
Adopted: 11/20/19

PIONEER LIBRARY SYSTEM - CONFIDENTIALITY OF LIBRARY RECORDS POLICY

The Pioneer Library System acknowledges its responsibility under New York State Civil Practice Law & Rules, Section 4509 to maintain the confidentiality of library records which contain the names or other personally identifying details regarding the users of our member libraries. Such information shall not be disclosed except as specified in law and with the advisement of Pioneer Library System legal counsel.

New York Civil Practice Law & Rules Section 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.

Personally identifying information collected by PLS Member Libraries

Pioneer Library System (PLS) collects the minimum personally identifying information (PII) necessary to conduct library-related business, including the circulation of library materials, contacting library patrons regarding library transactions and services, and connecting to third-party services that support library services.

PLS maintains certain administrative information regarding the use of PLS information systems and managed computer services accessed by individuals through member libraries or via remote access. This information is kept for administrative purposes only.

Appropriate Use of PLS Information Resources

Data collected about library patrons and transactions is used only to conduct library-related business, the administration of library services, and to assist the specific person to whom the information pertains.

Employee Confidentiality Agreement

All PLS Member Library and System staff, in order to have access to PLS information systems, are required to read this Confidentiality of Library Records Policy and agree to its contents. Agreement indicates their understanding that access to these systems, manual and automated, containing PII and other library record data is limited to the requirements of their job, and such information is not to be disclosed to unauthorized persons.

Member Libraries may collect agreements from staff using any form they wish providing the agreement upholds this policy. Member Libraries will be required to attest to PLS on an annual basis that all staff have agreed to the Confidentiality of Library Records Policy. As new or promoted staff are expected to perform tasks involving patron information, the confidentiality policy must be presented and agreed to by said staff member(s).

Requests for Information from Law Enforcement Agencies

No PLS Member Library staff or PLS System staff other than the director or director's designee is authorized to respond to any form of judicial process or to provide any patron-specific or library business information, in writing or in oral form, to a law enforcement officer or other person.

No individual data or transactions may be divulged to third parties except by court order.

In the event a PLS Member Library staff person or System staff person is requested to provide patron information to any outside agency or individual the following procedures or appropriate local library procedures must be followed:

1. The staff member receiving the request to examine or obtain information relating to circulation, computer activity or other records identifying the names of library users, will immediately ask for identification, then refer the person making the request to the director, or designee in the director's absence, who shall explain the institution's confidentiality policy. The staff member will not disclose any information.
2. The director, upon receipt of a process, order, or subpoena, shall consult with legal counsel to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance. The Director should contact the PLS Executive Director.
3. If the process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be corrected before any records are released. Without documents in proper form, law enforcement has no authority to compel disclosure of any information, other than the name of the person speaking to law enforcement officers.
4. Any threats or unauthorized demands (i.e., those not supported by a process, order,

or subpoena) concerning circulation, computer or other records identifying the names of library users shall be reported to the director immediately.

5. If the document is a search warrant that authorizes immediate search and seizure, inform the officer that the library director and legal counsel will be contacted immediately and request the patience of the officer. (The officer may inform you that the warrant is “secret”. This does not preclude notification of the director and legal counsel.) If the officer declines to wait, carefully inspect the warrant and monitor the search.
6. Retain a copy of the warrant and request an inventory of the materials in question. Offer the officer a copy of any data requested. At the conclusion of the search immediately make a written record of all events that transpired.
7. Add the copy of the warrant, request documents, and the written record of the event to your incidents file or appropriate storage area.

SAMPLE CONFIDENTIALITY AGREEMENT FORM

I understand that my access to data, information, and records (all hereinafter referred to as Information) maintained in the manual and automated information and records systems (all hereinafter referred to as PLS Information Systems) of the Pioneer Library System (PLS) is limited by my needs for the information in the performance of my job duties.

By my signature below, I affirm that I have been advised of, understand, and agree to the following terms and conditions of my access to Information contained in PLS Information Systems.

1. I will use my authorized access to Information Systems only in the performance of the responsibilities of my position as an employee of a PLS member library or direct employee of PLS.
2. I will comply with all controls established by PLS regarding the use of information maintained within PLS Information Systems.
3. I will avoid disclosure of Information to unauthorized persons without the appropriate consent of the Information owner except as permitted under applicable PLS policy and Federal or State law. I understand and agree that my obligation to avoid such disclosure will continue even after I leave the employment of a PLS member library or PLS.
4. I will exercise care to protect Information against accidental or unauthorized access, modifications, disclosures, or destruction.
5. When discussing Information with other employees in the course of my work, I will exercise care to keep the conversation private and not overheard by others who are not authorized to have access to such information.
6. I understand that any violation of this Agreement or other PLS policies related to the

appropriate release of or disclosure of Information may result in one or more sanctions, including immediate termination of my access to PLS Information Systems, criminal penalties, or civil liability.

I affirm that I have been given the opportunity to review the Confidentiality of Library Records Policy and other NYS and PLS policies referenced therein, and I further affirm that my questions about those policies have been answered to my satisfaction.

Employee Name

Employee Title

Employee Signature

Date

Library Director's Signature

Date