

Hawley Public Library

Confidentiality of Library Records Policy

OVERVIEW:

The Hawley Public Library protects the privacy of library records and the confidentiality of patron use of the library as required by relevant laws and reflected in the library's Values listed in the Library's Mission Statement. This policy seeks to establish protocols that will give staff and Board of Trustees direction in the enforcement of these laws and values.

LEGAL REQUIREMENTS IN THE COMMONWEALTH OF PENNSYLVANIA:

24 Pa.C.S.A. Education § 9375

Records of the following institutions which relate to the circulation of library materials and contain the names or other personally identifying information of users of the materials shall be confidential and may not be made available to anyone except by a court order in a criminal proceeding:

- (1) The State Library.
- (2) A local library established or maintained under the provisions of this chapter.
- (3) The library of a university, college or educational institution chartered by the Commonwealth.
- (4) The library of a public school.
- (5) A library established and maintained under a law of this Commonwealth.
- (6) A branch reading room, deposit station or agency operated in connection with a library described in this section.

At HPL the term "circulation records" refers to the following:

1. Records from Integrated Library System that link a patron to a specific resource.
2. Records of computer usage including browser histories.
3. Printouts associated with a specific patron.
4. Anecdotal reporting by staff on an individual's library usage.
5. Security camera footage.
6. Verification of an individual's presence (or lack thereof) in a library facility, vehicle, or virtual service

STAFF PROCEDURES:

1. Requests received by staff should be referred to the Library Director.
2. The Library Director will ask the requestor if they have a subpoena or search warrant. If No the requirement will be explained to the requestor. If a subpoena is presented go Step 3. If a search warrant is presented, go to Search Warrant section below.
3. If a subpoena the Library Director will confer with the Board of Trustees and legal counsel.
4. If the subpoena is acceptable to legal counsel, the Library Director or their designee will supervise the transfer of information ensuring that no other user records are disclosed.

EXCEPTIONS:

In the following instances, the procedures outlined above can be bypassed:

1. Clear and present danger to library staff or patrons.
2. Internal library investigation assuming legal counsel determines utilizing documentation, data, or records in specified manner does not violate existing laws.
3. If a caller inquires as to the presence or lack thereof of a specific patron, staff will ask for a description of the patron and take the caller's number. If a patron matching the caller's description is present, staff will record name and phone number of the caller and invite patron to use library phone to call if they wish.

Adopted by the Hawley Library Board of Directors, August 10th, 2023.