

CONFIDENTIALITY OF LIBRARY RECORDS POLICY

The Marion Public Library upholds the ALA adopted policies on privacy¹, which state that library “users should have the choice to opt-in to any data collection that is not essential to library operations and the opportunity to opt-out again at any future time”; that “libraries should collect and store only personally identifiable data required for specific purposes that are disclosed to the users”; and that “libraries should never share users’ personally identifiable information with third parties or vendors that provide resources and library services, unless the library obtains explicit permission from the user or if required by law or existing contract.”

Marion Public Library adheres to **New York Civil Practice Law and 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.

Section 4509: Library records, Civil Practice Law & Rules (CVP)

Marion Public Library does not disclose confidential patron records to any agency except under explicit consent of the patron or due process of law and then only upon the advice of the Library’s legal counsel.

Marion Public Library adheres to the OWWL Library System’s Systems Access and Confidentiality of Library Records Policy² regarding creation and deletion of Authorized User (defined within) accounts, the acknowledgement requirement for authorized users, utilization of secure passwords, electronic and physical access of library systems and devices, and the appropriate dissemination of the personally identifiable information contained in library systems.

Adopted: 10/15/2024

¹ Privacy: An Interpretation of the Library Bill of Rights, <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>

² OWWL Library System Policies, Resolutions, and Bylaws, <https://owwl.org/system/policies>