

CONFIDENTIALITY

The New York State Confidentiality Law protects the privacy rights of library users. 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, we cannot:

- Tell a third party whether a person has a library card
- Tell a parent what his/her child has borrowed, even if it is overdue
- Send a reserve notice or reminder on a postcard
- Reveal the nature of someone's reference question to another person
- Tell someone over the phone what they may have charged out or overdue, since no personal identification is presented

The above prohibitions are not all-inclusive.

The law in its entirety reads as follows:

“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 pertaining 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 audiovisual 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.”--

from *New York Consolidated Laws: Civil Practice Laws and Rules*
Section 4509, 1988.

Citations

Adopted 4/25/95

Reaffirmed 4/14/05

Reaffirmed 10/10/2011

GUILDERLAND PUBLIC LIBRARY

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