



## CHESTER COUNTY LIBRARY SYSTEM CONFIDENTIALITY OF LIBRARY RECORDS

### BACKGROUND

Public library service is based on the First Amendment of the United States Constitution, which guarantees the right of free expression. Inherent in this right is the freedom to read, to listen, and to view without interference and surveillance.

The Board of Trustees of the Chester County Library System affirms the Code of Ethics of the American Library Association which states, *“We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.”*

### POLICY STATEMENT

It is the policy of the Chester County Library System (CCLS) to endorse and comply with the Public Library Code, Act of Nov. 1, 2012, P.L. 0, No. 210, specifically § 9375, quoted below.

*Privacy of circulation records.*

*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.*

The CCLS defines “circulation records” to include the user’s personally identifiable information, the borrowing of member libraries materials, interlibrary loan records, Internet and electronic resource records and other personally identifiable uses of the CCLS integrated library system (ILS) or CCLS network.

The Board of Trustees of CCLS further considers confidential; the use of library materials in the member libraries; requests for information or materials by author, title or subject; reading, listening or viewing habits related to author, title or subject; and other personally identifiable uses of library materials, equipment, or services.

The CCLS interprets possession of a CCLS library card (or card number in a phone or email request) as consent to use it unless it has been reported lost or stolen, or there is reason to believe that consent has not been given.

CCLS member libraries or their affiliate partners (library foundations/trusts or Friends of Library) may send users information on services, programs or requests to support the library(s). In connection with any library related fundraising, CCLS may use and disclose patron contact information to our affiliate partners. However, CCLS will not disclose individuals borrowing information except as required by law. Patrons may opt out by contacting their local library.

Persons attending library programs or public meetings may be video recorded or photographed as an audience member. These images may be used for libraries’ programming or promotion, including the libraries’ websites, the Internet and other media.



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Security cameras are installed in some member libraries. Authorized staff may view recordings/feeds. Libraries' security camera recordings may be available for view by others upon receipt of an open records or law enforcement request. Requests should be made to the member library where the cameras are installed.

The CCLS expects staff and volunteers to treat all confidential information similarly, regardless of the individual's age.

It is also the policy of the CCLS to comply with federal laws such as the USA PATRIOT Act (2001; P.L. 107-56) which allows access to library information by law enforcement agencies by proper legal order.

The custodian of "circulation records" is the Chester County Library System Executive Director.

Requests for "circulation records" should be made in writing to the CCLS Executive Director at 450 Exton Square Parkway, Exton PA 19341. Requests for other confidential information should be made in writing to the Director of the CCLS Member Library where the transaction occurred.

The CCLS recognizes its obligation to protect user confidentiality to the extent possible within the framework of the law. The Library's response to legal orders will be guided by the advice of the County Solicitor's Office.

*Approved October 16, 2012  
Revised and Approved April 15, 2014  
Reviewed and Approved August 17, 2021*