

Sidney Memorial Public Library	Section:
Manual Name: Library Policy Manual	Date Effective: 02/15/2023
Section: VI. Circulation Policies	Date Created/Revised: 10/10; 9/13; 6/16; 9/8/26

A. Confidentiality of Library Records

1. The Sidney Memorial Public Library's circulation records and any other records which identify and relate to the names of library users including database search records, reference interviews, circulation records, interlibrary loan records, and other personally identifiable uses of library materials, facilities or services are *confidential*.
2. Such records will not be released or used for non-library purposes except pursuant to a subpoena from a court of law or other valid process, which specifically identifies the information required, and the purpose for the request.
3. General public access to circulation statistics invades the privacy of the individual patron, and would tend to discourage the freedom of inquiry into sensitive or unpopular subject matter.

**New York State Law
State of New York
5953-C Cal. No. 120
in Assembly
March 3, 1981**

Introduced by M. of A. Sanders and multi-sponsored.

An act to amend the civil practice law and rules, in relation to library records.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The civil practice law and rules is amended by adding a new section forty-five hundred nine to read as follows:

#4509. Library circulation records.

Records related to the circulation of library materials 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 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.

This act shall take effect immediately.

Signed into law on March 10, 1982 as Chapter 14 of the Laws of 1982 by Governor Carey.

B. Procedures for Implementing Library Record Confidentiality

1. The library staff member receiving the request to examine or obtain information relating to circulation or registration records will immediately refer the person making the request to the Library Director or Assistant Director.
 - a. The Assistant Library Director will inform the Library Director of any confidential requests made in his/her absence.
2. The Library Director or Assistant Director, upon receipt of such process, order, or subpoena, shall consult with the appropriate legal officer assigned to the

institution to determine if such process, order, or subpoena is in good form, and if there is a showing of good cause for its issuance.

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 "cured" before any records are released.
 - a. The legal process requiring the production of confidential library records shall ordinarily be in the form of a subpoena, "duces tecum" (bring your records), requiring the responsible officer (i.e.: Library Director) to attend court or the taking of his/her deposition, and may require him/her to bring along certain designated library records.
4. Any threats or unauthorized demands (i.e.: those not supported by a process, order, or subpoena) concerning library records shall be reported to the appropriate legal officer of the library.
5. Any problems relating to the privacy of library records should be communicated immediately to the Library Director.

(Confidentiality policy adopted by the ALA Intellectual Freedom Committee, July 2, 1991)

C. General Circulation Guidelines

1. Patrons must be in good standing to check out materials from the library.
2. Patrons must have a library card in their own name to check out materials.
 - a. If a patron has forgotten or misplaced his/her library card, but is in good standing, obtain another form of identification. (i.e.: a driver's license)
 - b. Staff members should also check patron registration to ensure that address and phone are correct and current.

The only exceptions are:
 - c. Reserve materials: patrons can pick up holds for other patrons with the owner's library card for the express purpose of signing out a reserve which the library has notified the requesting patron is available.
 - d. Homebound patrons: Such patrons may, by prior arrangement with the Library Director, designate up to two people who may borrow items for them. A letter formalizing this arrangement, signed by the homebound patron, must be submitted and will be kept on file by the Library Director. The Library Director will place a note on the homebound patron's record specifying the name of the designated borrower, and the designated borrower must present the homebound patron's card. Responsibility for items borrowed under this arrangement rests solely with the homebound patron.
3. Borrowers reporting that they have lost their library card must present valid identification in order to obtain a replacement card. There is a \$1.00 fee for a replacement card.
4. Patron cards scanned into mobile devices are not acceptable for purposes of accessing patron records.
5. All books, audiobooks, and music compact discs circulate for three weeks
6. Magazines circulate for two weeks.
 - a. The current issue of a periodical does not circulate.
7. DVD's, Story Time kits, Sensory kits, and the Telehealth kit circulate for one Week.
8. Puppets circulate for two weeks.
9. Reference materials do not circulate.
10. Patrons may borrow up to 50 books, 5 DVDs, 3 audiobooks on CD, 2 puppets, 1 story time kit, 5 CD's, and 5 magazines.

D. Registration of Borrowers

Library Cards

1. All persons requesting to borrow library materials must have a valid library card.
2. Any person, adult or child, permanently residing in the counties of the Four County system may complete an application for a regular borrower's card.
3. Regular borrowers also include persons who may reside here temporarily, but own property (home) in another area, and return on a regular basis. For these individuals, please obtain information as to their permanent mailing address, telephone, etc.
4. When a person expresses a desire for a library card, establish definitely that he/she has never had a card before. If there is any doubt check registration in Workflows.
5. If the person has never had a card, he/she must complete a new user application form.
 - a. Use juvenile forms for ages 0-15 and adult forms for others. The forms are located at the Circ Desk.

(2/14/23)

E. Renewal Policy

1. All Sidney materials may be renewed up to three times if there are no outstanding reserves.
 - a. An interlibrary loan item may be renewed ONE time only. No renewals on ILL DVD's.
 - b. Sidney and Masonville DVD's may be renewed ONE time only.
2. Renewals may be made by telephone for items not on reserve.

F. Reserve Policy

1. Reserves may be placed on any material the library circulates.
2. Reserve requests may be made in person or over the telephone.
 - a. Patrons will need to identify themselves with their library card number.
 - b. Patrons will be contacted by phone or notified by email when material becomes available; **items will be held for patrons for 5 days.** (9/9/08)

G. Overdues and Fines

1. **Sidney and Masonville items are fine free.** (Approved 8/22)
2. Patrons who have **Fines** of any kind (including from other libraries or for lost/damaged items) may not use the Internet or public access computers. Any fines over \$5.00 will result in a blocked account for checking out library materials.
3. The maximum fine for a book and most other materials is \$5.00. When this amount is reached an overdue notice is sent to the patron indicating the replacement cost.
4. Staff members may accept full payment for all overdue fines for any materials borrowed directly by patrons from Four County member libraries.
 - a. Any money for lost/damaged books collected should be sent to owning library.
5. Overdue and billing notices are mailed weekly. (Revised 6/10; 6/16).

H. Damaged Materials

1. If a book, video, or other material is damaged beyond repair, the borrower is required to pay the cost of the item as indicated in current catalogs and/or the bibliographic record.
2. The borrower may keep damaged items once he/she has paid for them.
3. When a magazine is damaged, the current issue price is the replacement charge.
4. The charge for a damaged CD case is \$1.00.

I. Interlibrary Loan

1. The library will request materials that are not owned by this library through the Four County Library System.
2. Patrons must have a valid library card and be fine free in order to request interlibrary loan materials.
3. Patrons who have outstanding overdues or fines over \$5.00 must clear their record before receiving interlibrary loan materials.
4. Out of the system requests will incur a fee of \$5.00 to cover return postage.

Approved by Board:
9/8/26

Effective:
9/9/26