

Madison Public Library
PATRON RECORDS AND COMPUTER PRIVACY POLICY

Mission Statement

The Madison Public Library is the community's center for ideas, information, learning, and connections. The Madison Public Library seeks to provide enjoyment, education, information and guidance through materials suited for the Borough of Madison.

Purpose

This policy is intended to provide guidance for the safeguarding of patron records by the library and patron privacy in the use of library computers and library internet networks.

Responsibility

The responsibility for these guidelines ultimately rests with the Library Board of Trustees. The authority and responsibility for setting these guidelines rests with the Library Director, who delegates this task to qualified professional staff.

Patron Records

1. The Madison Public Library is bound by state statute to treat certain library records as confidential and to protect them from disclosure. Records of library users shall not be made available to any individual, organization, business or government agency except pursuant to such process, order, subpoena or search warrant as may be authorized, under authority of, and pursuant to federal, state or local law relating to civil, criminal or administrative discovery procedures or legislative investigatory powers. (See N.J.S.A. 18A:73-43.1 and 43.2 reproduced below.)

2. In addition, all records containing personal information of Library patrons are to be treated as confidential. Personal information includes name, address, telephone number, email address, photograph or any other similar information that is maintained by the library.

3. Notwithstanding paragraphs 1 – 2 of this policy, a patron may see his or her own borrowing record, and a parent or legal guardian may see the borrowing record of his or her child until the age of 18 or otherwise emancipated. The parent or guardian is considered to be the library user with the child.

Computer Privacy

Patrons should be aware that transactions and files from a user's computer session on library computers may not be private. The library does not routinely review its computers to examine usage history, but it reserves the right to do so when a violation of the law, the Computer /Internet Acceptable Use Policy, the Library's Code of Conduct Policy, or any other library policy is suspected. All users are advised that they have no right to privacy in illegal activities including but not limited to accessing child pornography or information regarding the commission of a crime.

Library public computers that require patrons to log on using a library card or guest pass have software that deletes all temporary files. This software is not on the library computers in the children's room or library computers designated for catalog browsing.

Our public library WiFi is free, does not require a password, and is an open network. The library is not responsible for safeguarding personal information of patrons when they are using the library's WiFi or library computers.

Approved by the Library Board of Trustees
October 8, 2009

Updated and approved by the Library Board of Trustees
March 9, 2023

Portions of the law regarding Library Records are reprinted below:
18A:73-43.1 "Library" and "library record" defined for the purposes of this act:

- a. "Library" means a library maintained by any State or local governmental agency, school, college, or industrial, commercial or other special group, association or agency, whether public or private.
- b. "Library record" means any document or record, however maintained, the primary purpose of which is to provide for control of the circulation or other public use of library materials, 18A:73-43.2 Confidentiality of Library Users' Records
Library records which contain the names or other personally identifying details regarding the users of libraries are confidential and shall not be disclosed except in the following circumstances:
 - a. The records are necessary for the proper operation of the library;
 - b. Disclosure is requested by the user; or
 - c. Disclosure is required pursuant to a subpoena issued by a court or court order.