

Policy on Borrower Confidentiality and Library Card Use

Act 90, which was enacted on June 27, 1984, amended the Pennsylvania Library Code, Title 24, Consolidated Statutes, Chapter 16, Section 428, as follows:

Records related to the circulation of library materials which contain the names or other personally, identifying details regarding the users of the State Library or any local library which is established or maintained under any law of the Commonwealth or the library of any university, college, or educational institution chartered by the Commonwealth or the library of any public school or branch reading room, deposit station or agency operated in connection therewith, shall be confidential and shall not be made available to anyone except by a court order in a criminal proceeding.

Unfortunately for parents and guardians, legal counsel overwhelmingly indicates that Act 90 applies equally to library borrowers of all ages, thus protecting the privacy of children's borrowing records. The law was deemed applicable to parents and children to protect some juveniles from parental abuse that may ensue from their selection of library materials. Act 90 also protects all borrowers from disclosure of their library records without due process of law.

Alexander Hamilton Memorial Free Library realizes that under certain circumstances this may present difficulties for parents simply trying to return children's materials on time. We encourage parents to take an active role in their children's book selection by visiting the library with them and sharing their reading experiences. A borrower may request a list of the books that are checked out on his/her card or set up an online account in the circulation system that will enable him/her to check his/her personal borrowing record online. We apologize for any inconvenience this policy may cause, but must abide by the law for the protection of all juveniles.

Patrons are not permitted to use another patron's library card, even if the other patron is a family member. For example, a parent may not use their child's library card without the child being present at the check-out desk. A husband may not use his wife's library card without the wife being present at the check-out desk. Etc. The only exception is when a patron has filled out a "Permission to Use Library Card" form. The library will then keep this form on file, and make a note in the patron's account stating which person(s) have permission to use their library card.