



## LIBRARY POLICIES: Library Bill of Rights

The American Library Association (ALA) affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting

abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

Source: <http://bit.ly/1lKpmhA>



## STATE LAW: Confidentiality of Library Records

**Section 4509 of the New York State Consolidated Laws, Civil Practice Law and Rules** dictates that library records must be kept confidential. This pertains to library records (digital or otherwise), which contain names or other personally identifying information of users of public, free association, school, college, and university libraries and library systems in the state of New York. This includes circulation records, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, reservation requests, or use of

audiovisual materials, films, or records. The law states that such materials "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."

Source: <http://bit.ly/28K57yC>  
For other states, reference ALA's list of state laws regarding library records: <http://bit.ly/1mVGr5J>



## FEDERAL LAW: Internet Safety

The **Children's Internet Protection Act (CIPA)** and the **Neighborhood Internet Protection Act (NCIPA)** place restrictions on the use of funding that public libraries available through the Library Services Technology Act and the Universal Service program, known as "e-Rate." These requirements concern filtering software to block or filter information considered obscene or child pornography and libraries' internet safety policies.

Source: <http://bit.ly/28RPeXK>

**Children's Online Privacy Protection Act (COPPA)** requires web services to obtain verifiable parental permission to collect personal information from children under 13 years old. While this does not directly impact libraries, children may need assistance in understanding the need for parental consent when accessing websites or apps impacted by COPPA.

Source: <http://bit.ly/1F9xfIQ>



## FEDERAL LAW: Government Surveillance, Cybersecurity, and Privacy

**Cybersecurity Information Sharing Act (CISA)**, also known as the Cybersecurity Act of 2015, allows for sharing of internet traffic information between the U.S. government, such as the FBI and NSA, and technology companies. The ALA considers the cybersecurity legislation an enabler of mass surveillance and a threat personal privacy.

Source: <http://bit.ly/28LXmeQ>

**USA Freedom Act**, passed in 2015, ordered the sunset of Section 215 of the U.S. Patriot Act, which was used to justify bulk collection of telephone metadata. Formerly known as the library provision, Section 215 mandated seizure of sensitive records deemed relevant to an ongoing terrorism investigation. It required the library to provide access to library records when requested with the appropriate authorization. However, the Act leaves untouched government surveillance programs authorized under Section 702 of the Foreign Intelligence Surveillance Act (FISA) Amendments Act, which impact all Internet users.

Source: <http://bit.ly/28LXuLE>

See also <http://bit.ly/28NJuPX> and <http://bit.ly/28LOYNg>



## FEDERAL LAW: Consumer Privacy

There are a number of Acts which shape how private corporations collection, share, and analyze individuals' personal information, including digital information. This range of legislation is typically context- or industry-specific, and includes:

**Federal Trade Commission Act:** governs the Federal Trade Commission and its mission of protecting consumers against unfair and deceptive commercial practices.

**Family Educational Rights and Privacy Act:** pertains to the access of individuals' educational information and records.

**Health Insurance Portability and Accountability Act:** designates and safeguards the usage of certain kinds of medical information (e.g., "protected health information").

**Telecommunications Act:** governs usage of call data collected by telecommunications companies.



## THIRD-PARTY CONTRACTS

ALA's *Library Privacy Guidelines for E-book Lending and Digital Content Vendors* provides useful guidelines and suggestions: <http://bit.ly/28K7L7B>