

Policy Manual

TRUANCY CONCERNS POLICY

As a school district public library, the Library enjoys a mutually supportive relationship with the Gloversville Enlarged School District (the "District").

The Library is regularly open during the time when primary and secondary schools are in session. The District is obligated to ensure that each minor in the District, from six to sixteen years of age, attends full-time instruction as required by Title IV, Article 65 of the Education Law ("Article 65").

The Library has a policy regarding unaccompanied minors in the Library; this policy is informed by the Library's commitment to access, safety, and the preservation of the library's welcoming environment.

Sometimes, older minors, who are not required to be accompanied by an adult, may be in the Library during school hours, causing the concern that they may not be present at school for instruction as required by Article 65.

There are many reasons a minor could be at the Library during school hours without violating Article 65, including but not limited to:

- Homeschooling
- Suspension
- Health and/or disability factors
- Opting out of a particular part of the curriculum
- Religious holiday
- Early completion of degree requirements

The first tenet of the American Library Association is: "We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests."

The third tenet of the American Library Association is: "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."

New York's Civil Practice Rules & Procedures states that: "Library records, 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, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, 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."

Based on the above-recited considerations, it is the policy of the Library to not ask, verify, or otherwise monitor the compliance of a minor with Education Law Title IV (the requirement to be in school), as the Library cannot do so without unnecessarily burdening the rights of people to equitable access, unbiased service, and their right to confidential use of the Library.

For the above-stated reasons, it is the policy of the Library that if a minor or their employer are suspected of violating Education Law Title IV, the Library will cooperate with all requests for information per CPLR 4509; such subpoena or court order should be submitted to the Library Director.

For the general good of the community, it is the policy of the Library, and a goal of its long-range plan, to promote and facilitate participation in primary, secondary, higher education, trade school, alternative schooling, and continuing education.