



## Library Card Policy

- 1.) All Delaware residents are entitled to a library card which can be used in any public library in the state of Delaware.
  - Each person may only hold a single library card. A library card issued by any public library in Delaware may be used at any public library in the state.
  - Eligibility for a library card is proven by the completion of an Application for Library card; the presentation of valid photo identification; and written proof of a Delaware mailing address to which the individual resides and receives mail.
  - Library cards are valid for one (1) year. At each annual anniversary, library staff will verify that the card is in good standing and that all contact information is correct. In that event, the library card will be renewed for another year.
  - Library cards are considered “in good standing” if they are free of fines, fees and have no outstanding library materials or lost items.
  - Delaware residents who wish to use library resources must have a valid library card.
  - Minors may obtain a library card.
    - The application for a minor’s library card must be signed by a parent or legal guardian.
    - The responsibility for payment of fines, fees or lost materials lies with the parent or guardian.
    - The parent or guardian determines whether or not their child(ren) is allowed Internet access. This decision must be made based on individual family values. Parents are required to supervise their child(ren)’s Internet use. The Library does not act **in loco parentis**.
- 2.) People who are not residents of Delaware but wish to obtain a library card with full privileges in Delaware libraries may do so by applying for an out-of-state library card.
  - Out of state library cards are available for a cost of \$25 per individual.
  - Valid photo identification and proof of address is required.
  - Out of state library cards are valid for one year; and may be renewed for a cost of \$25 for each succeeding year.
- 3.) People who are not residents of Delaware but are visiting may obtain a Temporary library card with full privileges for the period of one (1) month.
  - Temporary library cards are available for a cost of \$10 per individual.
  - Valid photo identification and proof of address is required.
  - Temporary cards may be renewed for one (1) additional month for a cost of \$10 for that succeeding month.
- 4.) People who are not residents of Delaware but who wish to use the Library’s computers are eligible for a three (3) day Visitor’s Pass. Each guest is entitled to one (1) Three Day Visitor Pass.
  - Staff may issue a second Pass if circumstances warrant.
  - The DE CIPA law requires that public computer use may not be anonymous.
  - Visitors who wish to make use of Library resources including computers for a time greater than three (3) days must obtain an out-of-state or a temporary library card.
- 5.) In the event of loss of one’s Library card, a replacement library card may be obtained at a cost of \$2.00.

## Confidentiality of library records

Confidentiality of library records is guaranteed by State law. The Library and its staff abide by this law and the American Library Association's *Code of Ethics*. The Library and its staff maintain the confidentiality of all customers. The Director or Assistant Director may break confidentiality if safety concerns or criminal behavior necessitate such. In that event, the library works cooperatively with law enforcement following standard procedures and following the terms of the law.

5/9/14

**Delaware**  
**TITLE 29**  
**State Government**

General Regulations for State Agencies

**CHAPTER 66C. DELAWARE CHILDREN'S INTERNET PROTECTION ACT**

§ 6601C. Short title.

This chapter shall be known as the "Delaware Children's Internet Protection Act."

[74 Del. Laws, c. 414, § 1.](#);

§ 6602C. Purpose.

It is the intent of the General Assembly to establish a cost-effective and efficient way to protect minors who use computers in Delaware public libraries from viewing obscene or pornographic materials on the Internet.

[74 Del. Laws, c. 414, § 1.](#);

§ 6603C. Definitions.

As used in this chapter:

- (1) "Inappropriate materials" means visual depictions which are obscene;
- (2) "Minor" means an individual under the age of 18; and
- (3) "Obscene" has the meaning defined in § 1364 of Title 11.

[74 Del. Laws, c. 414, § 1.](#);

§ 6604C. Application.

(a) This chapter applies to libraries in this State which are open to the public and which receive funding from the State or from a county or municipality of the State. It does not apply to the libraries of the University of Delaware, Delaware State University and Delaware Technical and Community College or other institutions of higher education. Public school libraries in the State are exempt from the provisions of the chapter so long as Internet access on their computers is filtered through the State's computer system.

(b) No waivers from the provisions of this chapter shall be permitted by the Delaware Division of Libraries.

[74 Del. Laws, c. 414, § 1.](#);

§ 6605C. Adoption of acceptable use policies.

(a) A library subject to the provisions of this chapter shall establish and enforce a policy with respect to the acceptable use of its computers for Internet access. The acceptable use policy shall prohibit the use of a library's computers to facilitate an activity which is illegal under local, state or federal law. The acceptable use policy shall prohibit use of a library's computers to access obscene materials. Anonymous use of a library's computers by the public shall be prohibited.

(b) Use of any computer or mobile device at a library shall be governed by the library's acceptable use policy. All libraries shall post notification to patrons advising them to use personal mobile and computing devices in conformity with the library's acceptable use policy when at such library and to place appropriate controls on any devices which may be used by minors for whom they are responsible. All users of library-owned computers must be registered library cardholders.

(c) A minor who, prior to August 19, 2005, has been issued a library card which grants the minor unrestricted access to the Internet on the library's computers, will continue to have the same access after August 19, 2005, subject to the library's acceptable use policy. A parent or guardian of a minor who wants to change the level of Internet access available to minor must sign a new form indicating the level of access the minor is to have.

(d) Libraries shall implement an Internet access management system which provides parents and guardians with choices for their minor's use of library-owned computers. In order for a library card to be issued to a minor, a parent or guardian of the minor must accompany the minor to the library to apply for the card and sign a form indicating whether the minor may have access to the Internet on the library's computers and, if so, the level of access. Subject to the library's acceptable use policy, a parent or guardian may allow the minor to have unrestricted Internet access or may limit such access to content appropriate for minors. Limited access options may include, but need not be limited to, the use of dedicated computers for minors which are filtered or provide access solely to age-appropriate electronic library collections.

(e) A library shall enforce its acceptable use policy through sanctions, which may include suspension or revocation of library privileges. The public libraries of the State shall communicate with one another in order to determine if a potential user has been sanctioned elsewhere in the State.

(f) A copy of the library's acceptable use policy and the penalties for violating the policy must be given to all new library patrons with their library cards. A copy must also be posted in the library's computer area.

(g) Libraries subject to the provisions of this chapter may cooperate to develop uniform standards for acceptable use policies and sanctions for violations of the policies. The libraries may also cooperate to develop a system to communicate with one another about individuals who have been sanctioned for violation of an acceptable use policy.

[74 Del. Laws, c. 414, § 1](#); [77 Del. Laws, c. 298, §§ 1, 2](#);

§ 6606C. Development of databases.

Repealed by 77 Del. Laws, c. 298, § 3, effective 90 days after enactment, per § 4 of that act. The act was signed by the Governor on June 15, 2010, and became effective September 13, 2010.

§ 6607C. Liability.

Libraries subject to this chapter and their staffs shall not be liable for inappropriate or unacceptable use of the Internet by library patrons.

[74 Del. Laws, c. 414, § 1](#);

## **CHAPTER 100. FREEDOM OF INFORMATION ACT**

### **§ 10001 Declaration of policy.**

It is vital in a democratic society that public business be performed in an open and public manner so that our citizens shall have the opportunity to observe the performance of public officials and to monitor the decisions that are made by such officials in formulating and executing public policy; and further, it is vital that citizens have easy access to public records in order that the society remain free and democratic. Toward these ends, and to further the accountability of government to the citizens of this State, this chapter is adopted, and shall be construed.

(1) "Public record" is information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected, by any public body, relating in any way to public business, or in any way of public interest, or in any way related to public purposes, regardless of the physical form or characteristic by which such information is stored, recorded or reproduced. For purposes of this chapter, the following records shall not be deemed public:

(12) Any records of a public library which contain the identity of a user and the books, documents, films, recordings or other property of the library which a patron has used;

## Appendix II

### **Code of Ethics of the American Library Association**

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As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

- I. 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.
- II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- III. 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.
- IV. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
- V. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
- VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
- VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
- VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted at the 1939 Midwinter Meeting by the ALA Council; amended June 30, 1981; June 28, 1995; and January 22, 2008.