

## 10. GRIMES PUBLIC LIBRARY CONFIDENTIALITY OF RECORDS, CUSTODIAN OF RECORDS POLICY

The mission of the Grimes Public Library is to ensure that the public, regardless of age, sex, race or creed has the freedom to read and to freely choose from various sources of information and knowledge through a balanced collection of print and non-print resources. The library serves the educational, informational and recreational needs of the community. The Grimes Public Library promotes communication and the sharing of resources among all libraries.

This library joins with other libraries in the United States in supporting the LIBRARY BILL OF RIGHTS and the FREEDOM TO READ statement of the American Library Association. (Adopted by the Board of Trustees, February, 1999)

**BACKGROUND:** The Council of the American Library Association strongly recommends that the Library Staff and Board of Trustees of each library in the United States:

1. The library will not reveal the identities of individual users nor reveal the information sources or services they consult unless required by law. Confidentiality extends to information sought or received and materials consulted, borrowed or acquired. Confidentiality includes database search records, reference interviews, interlibrary loan records, computer use records, and all other personally identifiable uses of library materials, facilities or services.
2. The library will hold confidential the names of card holders and their registration information and not provide access for private, public or commercial use. The library cannot ensure privacy of personal or circulation records when engaging third party companies or consortiums in circulation functions, such as downloadable e-books, merchant services in credit card/debit card transactions, etc.
3. The lawful custodian of the records is the Director of the Library.
4. The library will not release registration, circulation or other records protected under the Iowa Code unless it is required by law to release the information. Circumstances which may require the library to release the information include the following:
  - a. A criminal or juvenile justice agency is seeking the information in pursuant to an investigation of a particular person or organization suspected of committing a known crime AND the criminal or juvenile justice agency presents the library Director with a court order demonstrating that there has been a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.
  - b. The library receives a Warrant for the information issued under the USA Patriot Act (which includes amendments to the Foreign Intelligence Surveillance Act and the Electronic Communications Privacy Act).

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- c. The library receives a National Security Letter seeking the information pursuant to the USA Patriot Act.
- d. The library receives a valid court order requiring the library to release registration, circulation or other records protected under the Iowa Code and the information is not sought in conjunction with a criminal or juvenile justice investigation.

The Grimes Library Board seeks to protect, as far as possible, the privacy of patrons who use the library and recognizes the right of all patrons to request information without concern for their request(s) being made public.

All library registration, circulation, and reference resources used by patrons, whether electronic, on-line, or hard copy are to remain confidential and protected by library policy and state law (Iowa Code, Section 22.7).

The library will release information to the parent or guardian of a minor child for the purpose of recovering overdue materials and settling accounts for lost, late or damaged material, and for other matters related to the recovery of material or charges incurred by minor children for which a parent or guardian may be considered liable. However, information will not be provided to the parent or guardian who is merely attempting to determine what library materials a minor child is using. (Iowa Code, Section 613.16) The Library interprets possession of a card as consent to use it unless it has been reported lost or stolen by account holder.

Approved by the Grimes Public Library Board of Trustees: 10/06; 12/11; 01/13; 09/15; 01/18