

# **Bettendorf Public Library Information Center Confidentiality Policy**

## **Purpose**

Confidentiality is essential to protect the exercise of First and Fourth Amendment rights. In accordance with First and Fourth Amendments of the U.S. Constitution, the Iowa Code (Appendix A) and professional ethics, the Board of Trustees of the Bettendorf Public Library Information Center respects the privacy of users and recognizes its responsibility to protect their privacy.

## **Guidelines**

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.
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 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).
  - 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.

This policy extends to those records involving patrons under the age of majority and the developmentally disabled. Account information will be released to the cardholder only. Parents or guardians wishing to access title information on their minor child's account must have cardholder present. Without the minor cardholder present, only the number of items checked out, the date due or the amount of fines on the account may be released. As an alternative, the parent or guardian may elect to borrow materials on the card of the parent/guardian. Minors will receive a copy of this policy at the time of registration.

## **Security Cameras**

*Security Cameras*- Security cameras are installed in the Library to protect the safety and security of patrons, staff, the building and its contents. Only authorized library staff may view recordings. However, library security camera recordings are public records and recordings may be released upon receipt of a public records request if the recording does not contain confidential patron information.

## **Appendix A**

### **Code of Iowa 22.7 "Examination of Public Records (Open Records)"**

#### **22.7 Confidential records.**

The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information...:

13. The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon 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.

18. Communications not required by law, rule, procedure, or contract that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination.

Professional Ethics: "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." (Source: Code of Ethics of the American Library Association)

1/3/17, 1/9/20

Reviewed/Approved by City Attorney- Chris Curran January 2020, September 2023

Approved by Bettendorf Public Library Board of Trustees- January 9, 2020, September 2023

#### References:

*Iowa Open Record's Law* (Chapter 22.7, Code of Iowa)

*American Library Association- Code of Ethics*

*American Library Association's Policy on Confidentiality of Library Records*