

Confidentiality

It is the responsibility of the Library to protect the privacy of any borrower who uses the Library, and neither to make inquiry into the purpose for which a patron requests information or books, except insofar as it may help the Library to answer the request, not to yield any information about a patron to individuals or to any private or public agency, local, state, or federal, without an order from a court of competent jurisdiction.

All library records relating to patrons and the use of library materials are considered confidential in nature.

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.

The Library Director or the Director's designee, as the lawful custodian of library records, is authorized to release records that are otherwise confidential if the purpose of such release is in accordance with the provisions of this policy and Iowa law.

Under receipt of any process, order, or subpoena, the person named and/or served shall immediately report to and consult with the Director and the legal counsel of the City of Perry to determine if such process, order, or subpoena is proper and in full compliance with proper legal authority.

Any problems or conditions relating to the invasion of privacy of a patron through the records of the Library shall be referred to the Director, who, after study and consultation with the Board of Trustees and/or legal counsel, shall issue a written decision as to whether to heed the request for information.

The Open Records Law (Section 22.7, subsection 13, Code of Iowa 1985 reads:

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 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.

The following text in quotes is taken from the Code of Iowa.

"22.7 (13)

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: 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."

Revised July 19, 2018