

Hawkins Memorial Library

Confidentiality Policy

The confidentiality of library records is central to intellectual freedom and directly related to the ability of citizens to use library materials and pursue information without fear of intimidation.

Confidentiality extends to information sought or received and materials consulted, borrowed or otherwise acquired including:

- database search records
- Internet and electronic resources search records
- reference interviews and transactions
- interlibrary loan records
- all other personally identifiable uses of library materials or information services

Compliance with Iowa Open Records Law

All information stored in any medium belonging to a city is defined as a public record by Section 22.1(3) of the Code of Iowa, but Section 22.7(13) provides that certain “public records” are confidential, including: “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”. This same section specifically prohibits the release of such information except under court order.

Library’s Responsibility

At no time will the Library Director, who serves as custodian of the records, release records of circulation transactions or information requests except under court order after appropriate notice of hearing.

Borrower’s Rights

The confidentiality of circulation transactions and information requests is both library policy and the state law. This information may only be released to the person who has borrowed the items upon presentation of the library card or by phone if the patron provides the card number. However, the library will release information to the parent or guardian of a minor child for the purposes only of recovering overdue material 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.

Section 22.2 and 22.7.13 state “Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record of the information contained in a public record...[however] the following 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 the need for the information is cogent and compelling.”

In addition, the Hawkins Memorial Library endorses the Code of Ethics of the American Library Association that states “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. If a staff member is approached by a representative of a law enforcement agency, any request for borrowing or other circulation records shall be turned over to that library’s custodian of the records.

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