

# LIBRARY RECORDS CONFIDENTIALITY POLICY

Approved by the Des Moines Public Library Board of Trustees

Adopted by the Board of Trustees, July 16, 1970

It is the policy of the Board of Trustees of the Des Moines Public Library to protect, as far as possible, the privacy of customers in accordance with the Code of Iowa and the American Library Association's statement of professional ethics. Staff members shall not under any circumstances ever give a third party information about what a library customer is reading or requesting from the library's collection. Information will be provided over the telephone or by email to card holders who verify their identity by providing personal identification such as a PIN (Personal Identification Number) or library card barcode number.

Library personnel shall be aware that all library registration, circulation, and reference records must remain confidential and are protected by library policy and under state law (Code of Iowa Section 22.7)

Information concerning a customer's registration record (including whether or not they have a card), information sought or received, and resources consulted, borrowed, acquired or transmitted, including but not limited to database search records, reference questions and interviews, interlibrary loan records, information about materials downloaded or placed on 'hold' or 'reserve,' and other personally identifiable information about uses of library materials, programs, facilities, or services, shall not be made available to any citizen, agency or state, federal or local government authority, unless required under Iowa Code Section 22.7.

A staff member receiving a request to examine or obtain information relating to customer records shall immediately refer the person making the request to the Library Director who shall explain the confidentiality policy.

The Library Director is designated by the Library Board of Trustees as the "lawful custodian" of library records. Subpoenas for information shall be referred to the Library Director.

The Community Resource Specialist (Library Social Worker) is a mandatory reporter. This policy does not prevent the Community Resource Specialist from fulfilling such obligation.

## **Chapter 22.7 Confidential records. Code of Iowa 2023**

"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.

14. The material of a library, museum or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.”

**Policy Interpretation as it applies to parents and guardians of minors:**

- A minor child is defined as a person under 18 years of age.
- If a parent or guardian has the minor’s barcode number and PIN, they may access the minor’s account via the online catalog.
- The library cannot ensure privacy of circulation records during the process of collecting overdue materials.
- 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.

**Adopted by the Board of Trustees, July 16, 1970**

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