

## 802: CONFIDENTIALITY and PRIVACY

See also related policies: Use of Library's Cardholder Database (704), Circulation of Materials (801), Display Policy (805), Internet Use Policy (815), Meeting Rooms (806), Library Bill of Rights (1001), Volunteer Policy (505) and Conduct in the Library (809). See also Code of Iowa, Chapter 22, Examination of Public Records (Open Records) and Section 22.7, Confidential Records.

802.1 The purpose of this policy is to explain how the Library serves as custodian of and protects confidential information; honors privacy; responds to requests for information about library users; and alerts patrons about confidentiality and privacy rights and potential risks.

802.2 Definitions:

- a. **Privacy** is the right to open inquiry without having the subject of one's interest examined or scrutinized by others.
- b. **Confidentiality** exists when a library is in possession of Personally Identifiable Information about users and keeps that information private on their behalf.
- c. **Personal Information** includes specific information such as an individual's name, address, telephone number, and eMail address. In some places this is also called Personal Identification.
- d. **Personally Identifiable Information** is information that connects Personal Information with preferences and interests such as webpages searched, reference questions asked, or items checked out from a Library.
- e. **Library Cards** provide ease of access to a type of Library Record.
- f. **Library Record** means a document, record, or other method of storing information retained by a library that identifies Personal Information and/or a person as having requested or obtained specific information or materials from a library.
- g. **Public Records** are documents, videos, or pieces of information related to the conduct of government that are not considered confidential.
- h. The **Custodian of the Library Records** is the Library Director or her/his designee.

802.3 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.

802.4 Privacy is essential to the exercise of free speech, free thought and free association.

802.5 Library Records and other Personally Identifiable Information are confidential in nature. No individual except authorized Library staff shall have access to Library Records other than his or her own without the individual's consent, except as listed below.

- a. Library records may be subject to disclosure to officials pursuant to a process, subpoena or court order authorized pursuant to a federal, state, or local law relating to civil, criminal, administrative or legislative investigative power. Library staff will seek legal counsel from the City Attorney's Office in the event of such request for release of library records, and will respond to the request according to advice of counsel.
- b. The Library interprets possession of a card (or card number in a phone or email request) as consent to use it unless it has been reported lost or stolen, or there is reason to believe that consent has not been given.
- c. Library Records for long overdue checked out materials for which a bill has been sent may be revealed to parents of minor children, a collection agency, or law enforcement personnel.
- d. Illegal activity is not protected. The Library may review information when a violation of law or Library policy designed to protect facilities, network, and equipment is suspected.
- e. Contact information for displays and meetings reservations is provided by the user and considered public information.
- f. Persons attending library programs or public meetings may be recorded or photographed as an audience member. These images may be used for library programming or promotion, including broadcast on The Library Channel, Library website, the Internet, and other media.
- g. Security cameras are installed in the Library to protect the safety and security of people, the building and its contents. Only authorized Library staff may view recordings.-Library security camera recordings are public records, and may be viewed upon receipt of an open records or law enforcement request. Library security camera recordings will be shared with law enforcement as a part of investigating and prosecuting crimes committed in the Library.
- h. The Library cannot guarantee the confidentiality of information sought or received, or materials consulted or borrowed from third-party digital services to which we provide access. When patrons use those resources, they are subject to the individual third-party terms and privacy policies.
- i. The Library may use circulation records while attempting to identify the most recent user of an item that had something left inside, or contained harmful or suspicious content.

- 802.6 The Iowa City Public Library will take steps to inform library users of their privacy and confidentiality rights and potential risks including:
- a. Avoiding creating unnecessary records and retaining records only as needed for Library business purposes.
  - b. Using the Library website to post the privacy policies of all third-party partners that require personally identifiable information.
  - c. Permanently posting basic confidentiality and privacy information on the Lobby Bulletin Board, the Library website, and in the Teen Center.
  - d. Routinely sharing reminders regarding privacy and confidentiality when Library Records are renewed.
  - e. Investing in appropriate technology to protect the security of personally identifiable information in the Library's custody including removing cookies, browsing history, cached files, or other computer and Internet use records that are placed on our computers or networks.

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