

Confidentiality of Library Records Policy

The confidentiality policy of the Lehigh Public Library is based on the First and Fourth Amendments of the U.S. Constitution, the Iowa Code, and professional ethics.

First Amendment: Congress shall make no law...abridging the freedom of speech...

Fourth Amendment: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

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)

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 Interview 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.

The Library's Confidentiality Policy

1. The library will not reveal the identities of individual users nor the information sources and services they consult unless required by law.
2. The library will hold confidential the names of card holders and their registration information. This information may be used for internal processes such as sending overdue notices and for marketing library services and programming. Personal information will never be sold, leased, or otherwise distributed or disclosed to an outside party.
3. The lawful custodian of the records is the Library Director. Support staff will direct any questions or requests to the Library Director. If the Director is unavailable, then the person with the highest level of authority will address the situation.
4. Representatives of any local, state, or federal government, pursuant to subpoena or search warrant authorized under the authority of federal, state, or local law relating to civil, criminal, or investigative power. Upon receipt of any such subpoena or search warrant, the Library Director will consult with legal counsel to determine if the subpoena or search warrant is in proper form and if there is a valid basis for its issuance before providing confidential information.
5. Library patrons or visitors should be prepared to present identification before using library services or devices.

Borrowers' Rights

The confidentiality of circulation transactions and information requests is both Library policy and state law. This information may be released only to the person who has borrowed the items upon presentation of the library card or by phone if the patron provides the card number. Parents may be told how many books are checked out to their children and when they are due, but may not be told the titles of the item