

## 802 Confidentiality and Privacy

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See related policies: Use of Library's Cardholder Database (704), Circulation of Materials (801), Display Policy (805), Internet Use Policy (815), Meeting Room and Lobby Use Policy (806), Volunteer Policy (505), Collection Development (601), and Library Use Policy (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 Iowa City Public 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, including but not limited to webpages searched, reference questions, program registrations, purchase suggestions, interlibrary loan requests, or items checked out from the library. State law deems this information confidential under Iowa Code Section 22.7 (13).
- 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 belonging

to the government that are not considered confidential.

- h. **Custodian of the library records** is the Library Director.
- i. **Third-party vendor** is a company that provides services for the library, including but not limited to digital collections, reference resources, and background systems.

### 802.3

The library subscribes to the principles embodied in the Library Bill of Rights and its interpretations, Freedom to Read and Freedom to View statements adopted by the American Library Association.

### 802.4

Confidentiality of library records is central to intellectual freedom and directly related to the ability of people to use library materials and pursue information without fear of scrutiny, embarrassment, or intimidation.

### 802.5

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

### 802.6

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 their 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 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 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 meeting room 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, website, the internet, City of Iowa City website, and other media.
- g. Security cameras are installed in the library to protect the safety and security of people, the building and its contents. Authorized library and Iowa City Police Department 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 will consider third-party vendor privacy policies when selecting digital collections and resources. 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 left something inside or damaged the item or if the item contained something potentially harmful or damaging to library collections or staff.

## **802.7**

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 operational 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, website, catalog, app, 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.
- f. Responding to data breaches involving patron information by notifying patrons affected, evaluating related practices and procedures and making changes as needed to prevent future occurrences.
- g. Working with the City of Iowa City in the review of Iowa Code or proposed legislation that relates to confidentiality and privacy of library users.

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