



Avon-Washington Twp. Public Library
Confidentiality Policy – Patrons

The Avon-Washington Township Public Library supports the President of the United States and congressional leaders in our nation's efforts to preserve and protect the many hard-won freedoms we enjoy as Americans.

Public libraries face the dilemma of having the responsibility of protecting the privacy of our patrons while responding to legitimate national security concerns. The Avon-Washington Township Public Library recognizes the confidentiality of information sought or received and materials consulted, borrowed or acquired by a library user.

The Avon-Washington Township Public Library strives to create an environment that is:

- Crime free
- A safe place
- A place for learning and pursuit of knowledge and information on any topic
- A place where patrons can ask any question and discuss any topic

The library will do its utmost to uphold the privacy and confidentiality of patrons' free access to information. The library will rely on existing laws and library policies to control behavior that involves public safety or criminal behavior.

About the USA Patriot Act of 2001

HR-3162 became Public Law 107-56 in response to the events of September 11, 2001. The full title of the law is: *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001*.

The Act may provide law enforcement broader boundaries when investigating information accessed and transmitted by patrons with regards to national security concerns.

Access to patron information may include but not be limited to:

- Database search records
- Circulation records
- Computer use records
- Interlibrary loan records
- Reference interviews
- E-mail
- Any other records or information of any kind maintained by the library about a patron.

AWTPL Policy and Procedures Regarding Information Access and Confidentiality

Database search records: These records refer to the searches of the collection a patron may conduct on the Online Public Access Computers (OPAC). These searches are conducted by using Unicorn, the library's automated database and circulation system. Unicorn is a product of Sirsi/Dynix. Once a search is conducted, the Unicorn, iBistro software does not retain a copy of the search. Any records of the search will not exist.

Circulation records: Patron material is circulated via the Unicorn WorkFlows system. The circulation software tracks materials currently checked out. However, it automatically erases a transaction from the reader's record once a book is returned and all fines are paid.

Computer use records: The library does not assign a computer to a patron, and no paper record with the patron's information printed is generated.

Interlibrary loan records: Patrons may borrow items not owned by the Avon-Washington Township Public Library from other libraries worldwide via interlibrary loan services. The Avon-Washington Township Public Library tracks items borrowed and generates a paper record with patron information. Once the materials are returned to the lending library and all appropriate fines and fees are paid, the paper record linking a patron to a borrowed item is destroyed.

Reference interviews: A reference interview occurs when a patron approaches a library staff member with a request for materials or information, and the staff member may conduct an interview with the patron to better understand and answer the question. No paper record linking the patron with the request is routinely kept during the interview. If a patron's personal contact information is recorded for any reason, as soon as the requested materials or information are delivered, the paper record is destroyed.

Policy and Procedures for Complying With Law Enforcement

The library staff will comply with law enforcement when supplied with a legal subpoena or warrant. If a subpoena or warrant is produced, the staff will follow these procedures:

- **Library staff members will not disclose any information about patrons' records of any sort to anyone asking for the disclosure of such records unless a patron is inquiring about his/her own record. A staff member who is approached with such a request will immediately contact the director. If the director is not immediately available, the staff member will contact a manager.**
- The director or manager will ask to see official identification and will photocopy all identification that is produced.
- If law enforcement presents a subpoena, library staff should direct that person to the director, who in turn will direct the subpoena to the library's attorney. If the director is not immediately available, the staff member will direct the person to a manager.
- If a member of law enforcement presents a library staff member with a warrant, the staff member will not interfere with any search and/or seizure. The staff member will immediately contact the director. If the director is not immediately available, the staff member will contact a manager.
- The director will keep a detailed record of all legal requests.
- The director will keep a detailed record of all costs incurred by any search and/or seizures.



Confidentiality Policy – Public Records

- A. Any person may inspect and copy the public records of the library in accordance with IC 5-14-3 between 9 a.m. and 5 p.m. Monday through Friday. The request must be submitted on a Public Records Request Form located at the Circulation Desk. The Library Director will respond to the request within 24 hours if the request is made in person and seven (7) days if the request is made by mail, email or facsimile.
- B. The following public records are excepted from public disclosures, unless access to the records is specifically required by state or federal statute or is ordered by a court. The Director will be the only one allowed to disclose any excepted public records with the appropriate documents:
1. Personnel files of library employees and files of applicants for employment, except for:
 - a. The name, compensation, job title, business address, business telephone number, job descriptions, education and training background, previous work experience, or duties of first and last employment of present or former officers or employees of the library.
 - b. Information relating to the status of any formal charges against the employee and;
 - c. Information concerning disciplinary actions in which final action has been taken and that resulted in the employee being disciplined or discharged.

However, all personnel file information shall be made available to the affected employee or his representative. General personnel information on all employees or for groups of employees, without individual names, may not be excepted from disclosure.

2. Administrative or technical information that would jeopardize a record keeping or security system.
3. Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility
4. Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).
5. The identity of a donor of a gift made to a public agency if:
 - a. The donor requires nondisclosure of his identity as a condition of making the gift; or
 - b. After the gift is made, the donor or a member of the donor's family requests nondisclosure.
6. Library records that can be used to identify any library patron.

Names and addresses of employees may not be disclosed by the public library to commercial entities for commercial purposes and may not be used by commercial entities for commercial purposes.