

CONFIDENTIALITY OF CIRCULATION RECORDS

Based on the powers invested in the Library Board of Trustees of the Avon Lake Public Library in the *Ohio Revised Code*, Section 3375.40 and pursuant to the recommendations of the American Library Association and the Ohio Library Council, the Avon Lake Public Library adopts the following policy on confidentiality of Library records:

The Avon Lake Public Library specifically recognizes that its circulation records and other records identifying the names of Library patrons with specific materials are confidential in nature. No such records will be made available to any agency of federal, state, or local government or to any individual not specifically authorized by the Library Director for legitimate business purposes, except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to federal, state or local law relating to civil, criminal or administrative discovery procedures or legislative investigatory power.

Under receipt of such process, order, or subpoena, the Library's officers will consult with their legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance in a court of competent jurisdiction. If the process, order, or subpoena is not in proper form or if good cause has not been shown, the Library will insist that such defects be cured.

As per the *Ohio Revised Code*, Section 149.432, the Library records of minor children must be provided to parents/guardians upon request.

The USA Patriot Act [full title: *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001*] provides a law enforcement agency official with a warrant the right to execute a search immediately. Staff must permit the search, but the Library's officers will request the Library's attorney be present during the search.