

**Privacy and Confidentiality Policy***Effective Date: 09/05**Reviewed & Revised: 10/22***Page 1 of 4***Policy No. 2.2*

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**Policy**

The Board of Library Trustees and staff of the Ela Area Public Library are committed to protecting the personal patron information to which the Library has access. This confidentiality extends to information about library materials consulted or borrowed, electronically accessed information, reference interviews, circulation records, registration records and all other personally identifiable uses of library materials, facilities, or services.

The Library is subject to the Illinois Library Records Confidentiality Act. \*  
The Library follows all applicable federal, state, and local laws.

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**Procedures**

1. Library records containing personal patron information will not be made available to any agency of state, federal or local government to the public unless a subpoena, warrant, court order or other investigatory document is issued by a court of competent jurisdiction that shows good cause and is in proper form. Any employee of the Library who receives a request, or who is served with a subpoena, court order, or search warrant, to release or disclose any library record shall promptly notify the Library Director. The Library Director will then seek legal counsel from the Library's attorney and respond to the request for information according to advice of counsel.
2. In the event of an emergency, certain information will be made available to a sworn law enforcement officer who represents that it is impractical to secure a court order, and the officer has probable cause to believe that there is an imminent danger of physical harm. The information requested will be limited to identifying a suspect, witness, or victim of a crime. The information requested without a court order will not include the disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library. In such an event, the requesting law enforcement officer will be required to sign a form acknowledging the receipt of the information (See attachment).
3. The Library may use information contained in patrons' records to conduct its normal business, including the release of information when necessary to recover unreturned items or unpaid bills.

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- 3a. If the minor's library card is not presented, the Library will tell parents or legal guardians the number, format, and the value of items checked out on a minor's card. The Library will not, however, release the titles of the items.
- 3b. If the minor's library card is presented, the minor's parents or legal guardians may have access to any records the Library holds about the minor.
4. This policy does not prevent the Library from publishing or making available to the public, reasonable statistical reports regarding Library registration and book circulation where the reports are presented so that no individual is identified therein.

**Information Collected**

These types of personal information are collected:

- Name
- Address
- Telephone number
- E-mail address
- Library barcode card number
- Age & Grade Levels
- Birthdate
- Materials currently checked out or requested
- Overdue materials (until returned)
- Unpaid bills (until paid)

**Safeguarding Personal Information**

In order to protect your personal information, the Library will:

- Avoid keeping unnecessary records.
- Remove the correlation between personal information and materials borrowed once these items are returned unless patron requests borrowing history information to be saved.
- Purge or shred personally identifiable information when it is no longer needed.
- Remove from computers records no longer needed for the provision of library services. Avoid practices that might place personally identifiable information on public view.

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**Third Party Vendor Services**

The Ela Area Public Library District enters into agreements with third party vendors to provide online services and digital materials. Our agreements address appropriate restrictions on the use, aggregation, dissemination and sale of information. When connecting to licensed databases and content providers outside the Library, we release only information that authenticates users as registered Ela Library patrons.

Third party services may gather and disclose your information including:

- Personally identifiable information that you knowingly provide, including site registration, information requests, and shared content.
- Your IP address, search history, location-based information, and device ID.
- Non-personally identifiable information, such as your ad views, analytics, browser information, cookie data and page views.
- Other data that third party vendors may collect as described in their privacy policy and terms of use.

As a passport facility, we follow State Department guidelines and regulations for processing, storing, and transmitting of passport application packages.

For more information on these services and the specific types of data that may be gathered please consult the Terms of Use and Privacy Policies for the services that you use. Links to our vendor policies can be found on our [Privacy and Confidentially page](#).

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*75 ILCS 70/1 – Library Records Confidentiality Act: 1. (a) The registration and circulation records of a library are confidential information. No person shall publish or make any information contained in such records available to the public unless: (1) required to do so under court order; or (2) the information is requested by a sworn law enforcement officer who represents that it is impractical to secure a court order as a result of an emergency where the law enforcement officer has probable cause to believe that there is an imminent danger of physical harm. The information requested must be limited to identifying a suspect, witness or victim of a crime. The information requested without a court order may not include the disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library. If requested to do so by the library the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section. This subsection shall not alter any right to challenge the use or*

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*dissemination of patron information that is otherwise permitted by law. (b) This section does not prevent a library from publishing or making available to the public reasonable statistical reports regarding library registration and book circulation where those reports are presented so that no individual is identified therein. (b-5) Nothing in this Section shall be construed as a privacy violation or a breach of confidentiality if a library provided information to a law enforcement officer under item (2) of subsection (a). (c) For the purpose of this Section, a. "library" means any public library or library of an educational, historical or eleemosynary [charitable] institution, organization or society; v. "registration records" includes any information a library requires a person to provide in order for that person to become eligible to borrow books and other materials, and c. "circulation records" includes all information identifying the individual borrowing particular books or materials. 2. "Identifying" information includes: address, phone number, birth date and other personal information obtained by the Library in connection with issuance of a library card.*

**Officer's Request for Confidential Library Information**

A. This is a request under the Illinois Library Records Confidentiality Act, 75 ILCS 70/1 *et seq.* for information contained in the library's registration and/or circulation records.

B. My request for information is limited to identifying a "suspect, witness, or victim of a crime."

C. As the basis for this request, I represent the following:

a. I am a sworn law enforcement officer.

b. As a result of an emergency where I believe there is imminent danger of physical harm, it is impractical to secure a Court Order for the identification information.

D. The information I request relates to the following (Description of information sought):

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**Officer's acknowledgment** – I acknowledge receipt from the Library of the information I requested.

_____	_____	_____
Officer's printed name	Officer's Agency/Department	Officer's signature
_____	_____	_____
Officer's badge number	Time signed	Date signed

**(Library Use Only)**

Name(s) of Library Staff assisting with the request: \_\_\_\_\_