

NMCPLS Access to Public Records Policy

Access to public records is governed by Indiana Code 5-14-3. The official policy of the State of Indiana is that all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees, subject to certain limitations.

In accordance with this policy, the records of the North Madison County Public Library System are open to the public for inspection with exception of the classes of materials specified by law as confidential as set out herein. For a listing of the types of materials available to be examined see I.C. 5-14-3-3. Any person may inspect and copy the public records of the library during the hours between 10 am to 5 pm. Requests for materials on weekends or at night will be deferred until the following business day. Requests for information must be made in writing and provide the name and telephone number of the requesting individual as well as the general nature of the information being sought. Any cost incurred in copying materials must be paid by the requester at the time the request is made.

Materials declared confidential by state or federal statute as outlined in I.C. 5-14-3-4 are exempt from disclosure. In addition, the following public records are exempt from disclosure and will not be made available for public inspection:

1. Personnel files of the library employees and files of applicants for employment, except for:
 - a. The individual's name, compensation, education, description, job title, training background, previous work experience, dates 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 an employee.
 - c. Information regarding disciplinary actions in which final action has been taken and which resulted in the disciplining or discharging of an employee.
 - d. All personnel information is available to the affected employee or his/her appointed representative. General personnel information on all employees or groups, if unnamed employees, may be disclosed.
2. Any administrative or technical information which could jeopardize a record-keeping or security system.
3. Computer programs, codes, filing systems, and other software owned by the library or entrusted to it.

4. Records prepared specifically for discussion, or created during discussion at any legally called executive session.
5. The identity of a donor of a gift made to the library if the donor requires anonymity as a condition of making the gift.
6. Any library records which can be used to identify any library patron.
 - a. The Board of Trustees of the North Madison County Public Library System specifically recognizes its circulation records and other records identifying the name of library users to be confidential in nature, in accordance with provisions in the Indiana Code IC 5-14-3-4(b) and IC 5-14-3-4(b)(16). Records obtained via our security camera system will be given to law enforcement without a court order after a police report has been filed unless the name of a library user can be identified within the security camera footage.
 - b. Further, the Board subscribes to the American Library Code of Ethics, which says in part that "We protect each library user's right to privacy and confidentiality with respect to information sought or received and materials consulted, borrowed, acquired or transmitted."
 - c. All library employees are advised that such records, shall not be made available to any agency of state, federal, or local government 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 investigative power.
 - d. Upon receipt of such process, order or subpoena, the library's director, administrative assistant or 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; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured.
 - e. This policy shall not be construed as a guarantee by the library to its patrons of any absolute right to privacy. The library is not responsible for information gained from a patron record by anyone other than the patron, if the patron has lost or loaned his/her card or if someone has obtained the patron information by illegal or inappropriate methods. However, records of minors can be disclosed to their parents, stepparents or guardians.

Adopted by the NMCPLS Board of Trustees January 14, 2008

Revised October 8, 2012