

## PUBLIC RECORDS POLICY

Access to public records is governed by IC 5-14-3 which states 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."

Materials declared confidential by state statute as outlined in I.C. 5-14-3-4 are exempt from disclosure.

The following public records are exempted from the disclosure requirements upon approval of this policy by the JCPL Board of Trustees as provided for in IC 5-14-3.

1. Personnel files of library employees and files of applicants for employment except for:
  - 1.1 The name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the library;
  - 1.2 Information relating to the status of any formal charges against the employee;
  - 1.3 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/her representative. General personnel information on all employees or groups of employees, without individual names, may not be excepted from disclosure.

2. Administrative or technical information that would jeopardize a recordkeeping or security system.
3. Computer programs, computer codes, computer filing systems, and other software that are owned by the library or entrusted to it.
4. Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1.
5. The identity of a donor of a gift made to the library if the donor requires nondisclosure of his/her identity as a condition of making the gift or after the gift is made, the donor or a member of the donor's family requests nondisclosure.
6. Library records which can be used to identify any library patron. Circulation records or other records identifying the names of library users with specific materials are for the sole purposes of protecting public property and compiling statistical information. Such records shall not be used either directly or indirectly to otherwise identify the types of materials used by individual patrons.

A patron's address may be given to law enforcement officials when

- Staff have good reason to believe that a patron, who has left the library before law enforcement officials can arrive, is a serious threat to himself or others **and**
- No other way to identify the patron is available (such as auto license number or address in a directory)

Library records shall not be made available to any agency, group or individual 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 powers.

Upon receipt of such process, order, or subpoena, the Library Director will consult with legal counsel to determine if such document is in proper form and if there is a showing of good cause of its issuance; if the process, order, or subpoena is not in proper form or if good cause has not been shown, the Director will insist that such defects be cured.

Any costs incurred, as a result of such order, in a search through patron records, shall be borne by the agency, group or individual demanding the search.

Patron privacy is automatically waived in cases of suspected child abuse or neglect. An individual who has reason to believe that a child is a victim of child abuse or neglect is required to make a report to the Department of Child Services (DCS) or local law enforcement. Furthermore, if an individual is required to make a report in the individual's capacity as a member of the staff of a public institution/agency, the individual is required to immediately make the report and then notify the person in charge of the institution/agency that a report was made. Reports may be made orally or in writing but must be made immediately to either DCS or local law enforcement. Currently, DCS operates a hotline that is staffed 24-hours a day for the purpose of receiving such reports of suspected child abuse or neglect. The phone number is 1-800-800-5556. Reports may also be made by calling the Jasper County DCS office. The phone number is 219-866-4186.

Disclosure of library circulation records will be made in the case of parents (biological, foster, step) or legal guardians, inquiring about the materials their children aged 17 or under have borrowed.

7. Records deposited with, or acquired by, the Library upon a condition that the records be disclosed only:
  - 7.1 To qualified researchers.
  - 7.2 After the passing of a period of years that is specified in the documents under which the deposit or acquisition is made or
  - 7.3 After the death of persons specified at the time of the acquisition or deposit.

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 their library card, or if someone has obtained the patron information by illegal or inappropriate methods.

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