

The North Shore Library Privacy Policy

Privacy Statement

An important principle of the North Shore Library is protecting patron privacy and keeping confidential the information that identifies individuals or that associates individuals with their use of Library books, materials, equipment, programs, services, facilities, and/or staff assistance. This policy affirms the Library's commitment to privacy and explains the information that the Library collects. In addition this policy alerts visitors to Library facilities, as well as users of remotely accessed Library services, about the privacy choices available to them.

Definition of Terms

- **Privacy** is the right of patrons to seek information through Library resources without having the subject of interest (the patron) known or examined by others.
- **Confidentiality** exists when the Library possesses personally identifiable patron information and keeps that information private on the patron's behalf.
- **Personally identifiable information** is information indicating the identity of any individual who borrows or uses the library's documents or other materials, resources or services such as the name, library card number, e-mail or mailing address, telephone number, or any financial information relating to a patron and his or her accounts.

Legal Protections and Exceptions

Wisconsin law has strong protections in place to assist the Library in keeping records confidential. Staff members are provided training in handling requests from law enforcement. The staff procedure can be found in Appendix A of this document.

The relevant Wisconsin laws concerning the confidentiality of library records are Wisconsin Statutes § 43.30 and the Wisconsin Personal Information Practices Act (§ 19.62 to 19.80). Library records include any record of use of library materials, resources, or services.

Wis. State Statute § 43.30 requires that library records may only be disclosed under the following circumstances:

1. With the consent of the individual patron;
2. To a custodial parent or legal guardian of a juvenile under 16 years of age;
3. By court order;
4. Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at the Library. ;

5. To persons acting within the scope of their duties in the administration of the Library or the Milwaukee County Federated Library System (MCFLS);
6. To other libraries for interlibrary loan purposes in accordance with the standards set forth in Wisconsin Statute § 43.30(2) and (3);
7. To a qualifying third party¹ to assist with delinquent accounts. Under the provisions of the law, the library **may only disclose** the individual's name, contact information and the quantity, types and value of unreturned materials, not the titles of the items.

In certain circumstances, Library records may be subject to disclosure to law enforcement officials under provisions of state law or federal law under the provisions of the [USA Patriot Act \(Public Law 107-56\)](#). In accordance with the USA Patriot Act, public libraries must allow an immediate search and possible seizure of equipment or information if presented with a FBI National Security Letter or Foreign Intelligence Surveillance Act Warrant.

Library Records

The Library avoids creating unnecessary records and retaining records longer than needed for Library business purposes.

1. To receive a library card, patrons are required to provide identifying information such as name, birth date, picture ID, and a physical address as well as mailing address (if different). The identifying information is retained, as long as the library user continues to use the library card. The Library does not record or save patrons' Social Security numbers or State Drivers' License numbers.
2. A library user's circulation record includes current identifying information, items currently checked out² or on hold, as well as overdue materials and fines.

When an item is returned, it is removed from a patron's checkout list. However, patrons who themselves sign up for the reading history service will have their checkout history saved instead of purged. Patrons have the option to turn off the service and delete their checkout history at any time. Library staff do not have access to a patron's checkout history.

3. The Library System software retains a rolling list of the last five patrons to check in material on each item record. This data is automatically removed once the patron's data goes beyond the five maximum entries.

4. The Library may also gather information necessary to provide a requested service to a library user including but not limited to the following examples:

- ❖ Records of electronic access information such as the library card or guest pass number used to log onto library public computers or search a library database
- ❖ Records for interlibrary loan requests or reference services
- ❖ Records needed to sign up for or participate in library classes and programs
- ❖ Records for use of meeting rooms
- ❖ Records for receiving emails and/or text messages about library services and programs

Once there is no longer a need for the information, personally identifying records are destroyed. Emails sent to Library staff may be subject to open records requirements.

5. The Library treats records as confidential in accordance with Wisconsin State Statute § 43.30. **The Library will not collect or retain private and personally identifiable information without the patron's consent. If consent to provide personally identifiable information is given, the Library will keep it confidential and will not sell, license or disclose it to any third party, except for purposes described by the law.**

Access to Accounts and Patron Responsibility

Protecting a Patron Account

It is the patron's responsibility to notify the Library immediately if a library card is lost or stolen or if he or she believes someone is using the card or card number without permission. The Library recommends these precautions:

- Log off systems after use;
- Don't share the library card, user IDs, or passwords;
- Change any assigned passwords when registering for a library card;
- Select passwords which are easy to remember, but difficult for others to guess by including a mixture of numbers, symbols, and/or upper and lowercase letters.

Keeping Account Information Up-To-Date

A patron may access his/her personally identifiable information held by the Library and is responsible for keeping the information accurate and up-to-date. The purpose of accessing and updating personally identifiable information is to ensure that library operations can function properly. A patron may view or update his/her personal information in person. He or she may be asked to provide some sort of verification or identification card to ensure verification of identity.

Parents and Children

For the protection of patron privacy, a parent or guardian seeking records of their minor child, under age 16, may be asked to provide proof of their child's age as well as evidence they are the custodial parent or guardian as defined by Wisconsin State Statute § 43.30(1b)(ag). Wisconsin State Statute § 43.30(4) allows this access for custodial parents of only those children who are under age 16.

Items on hold

Items placed on hold for patrons are shelved for pick-up in the public areas of the Library. Patrons may designate, other individuals to have permission to pick up their holds.

Public Computer Use and the Library's Automation Systems

The Library routinely and regularly purges information that may be linked to library users, such as information from web servers, mail servers, computer time management software, interlibrary loan requests, and other library information gathered or stored in electronic format.

The Library System maintains the online catalog and a number of databases. The Library System automatically collects and maintains statistical information about library users' visits to the library catalog and databases. This information includes the IP address of the visitor, the computer and web browser type, the pages used, the time and date, and any errors that occurred. This information is used for internal reporting purposes and individual users are not normally identified. Network traffic is monitored to identify unauthorized attempts to upload or otherwise damage the web service. If a library user chooses to pay fines and fees via credit card, the credit card number is not stored in the user's library account; it is simply passed through to the payment processor.

Websites

The Library's website contains links to other sites including third party vendor sites. The Library is not responsible for the privacy practices of other sites which may be different from the privacy practices described in this policy. The Library encourages library users to become familiar with privacy policies of other sites visited, including linked sites.

The Library website does not collect personally identifying information from visitors to the website unless the patron requests a service via the Library website. The Library may collect non-personal information from visitors to the website for statistical analysis, site assessment, server performance, authentication, troubleshooting and other management purposes. Examples of non-personal information collected include Internet Protocol (IP) address of the computer, the type and version of browser and operating system the computer uses, geographical location of the network used to link to the Library's site, and time and date of the access. There is no link to personally identifiable information in computer communications, unless a patron has provided that information in the content of a transaction, for example, filling out an online form to request a service.

The Library uses temporary "cookies" to maintain authentication when a patron is logged in to the online catalog. A "cookie" is a small text file that is sent to a user's browser from a website. The cookie itself does not contain any personally identifiable information. Other electronic services offered by the Library through third party vendors may use "cookies" to help control browser sessions. Websites may use the record of "cookies" to see how the website is being accessed and when, but not by whom.

Library database users are asked for their library card number to ensure that only authorized users have access. Database vendors have controlled access to user information for the sole purpose of authentication to their resources.

The Library and the Library System work with a variety of partners to provide digital content to patrons. Prior to checking out any of the Library's digital content, patrons should be aware of the privacy policy of the company that is providing the service.

Wireless Access

The Library offers free wireless access (Wi-Fi) for library patrons to use with their own mobile devices. These access points are unsecured. A patron's use of this service is governed by the Library's internet policy.

Due to the proliferation of Wi-Fi networks, library users may also be able to access other Wi-Fi networks within the building that are not provided by the Library. Use of these non-Library wireless networks within the Library's facilities is also governed by the Library's internet policy.

As with most public Wi-Fi, the Library's Wi-Fi is not secure. Any information being transmitted could potentially be intercepted by another Wi-Fi user. Use of the Library's Wi-Fi is entirely at the risk of the patron. The Library disclaims all liability for loss of confidential information or damages resulting from that loss.

Other services

Some patrons may choose to take advantage of RSS feeds from the Library's website, hold and overdue notices via e-mail or text message, and similar services that send personally identifiable information related to library use via public communication networks. Patrons should also be aware that the Library has limited ability to protect the privacy of this information once it is outside the Library's control.

Radio Frequency Identification (RFID)

The Library may use RFID technology to secure and circulate its collection. The only information stored on the RFID tag is the item barcode and a security bit that indicates if the item is in or out of the Library. RFID technology is not used in library cards.

Library Photos

The Library may take photos, videos, and other recordings of patrons/visitors and use them with the consent of the individual patron.

Illegal activity prohibited and not protected

Patrons may conduct only legal activity while using library resources and services. Nothing in this policy prevents the Library from exercising its right to enforce its Rules of Behavior, protect its facilities, network and equipment from harm, or prevent the use of Library facilities and equipment for illegal purposes. The Library can electronically log activity to monitor its public computers and external access to its network and reserves the right to review such logs when a violation of law or Library policy is suspected. Staff is authorized to take immediate action to protect the security of library patrons, staff, facilities, computers and the network. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.

Enforcement and redress

Patrons with questions, concerns, or complaints about the handling of their personally identifiable information or this policy may file written comments with the Library Director. A response will be sent in a timely manner and the Library may conduct an investigation or review of practices and procedures. The Library conducts such reviews as necessary to ensure compliance with the principles outlined in this policy.

Policy Changes

This Privacy Policy may be revised by the North Shore Library Board to reflect changes in the Library's policies and practices or to reflect new services and content provided by the Library or as required by law. Patrons are encouraged to check this document periodically to stay informed of the Library's current privacy guidelines.

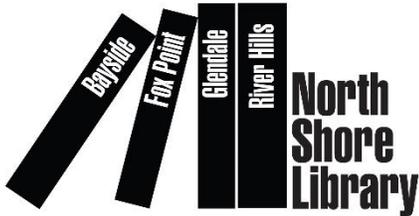
¹Qualifying third parties are:

- a collection agency
- a law enforcement agency, but only if the dollar value of the individual's delinquent account is at least \$50.

²Patron records show current checkouts. When an item is returned, it is removed from the patron's checkout list. However, patrons who sign up for the reading history service will have their checkout history saved instead of purged. The user has the option to turn off the service and delete his/her reading history at any time.

Adopted by the North Shore Library Board

August 8, 2020



North Shore Library Privacy Policy

Appendix A: Staff Procedures

No information about patron records will be given out to any individual or organization except as delineated in the Privacy Policy and applicable state and federal laws.

Parents and Children

North Shore Library Staff will provide records to the parent or guardian of a child under the age of 16 (not to include age 16) who requests that information, per 43.30 (4).

Issuance of information to a law enforcement official

1. All such requests will be referred to the Library Director, or designate, who will contact the Milwaukee County Federated Library System (MCFLS) Office. Staff will not provide records or answer questions.
2. If the agent or officer does not have a court order compelling the production of records, the Library Director, or designate, will give the agent a copy of the Privacy of Library Records and Library Use Policy and point out relevant sections.
3. If the court order is in the form of a subpoena, the Library Director, or designate, will contact the MCFLS Office for review. MCFLS is the sole point of contact for any surrender of Library System-held information or borrowing data.
4. If the court order is in the form of a search warrant, the agent or officer may begin a search of library records as soon as they enter the library. Staff will immediately inform the Library Director, or designate, who will contact Legal Counsel and MCFLS Office.
5. If the court order is a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) (USA Patriot Act amendment), the procedure for a search warrant applies. However, this type of search warrant also contains a “gag order.” No person or institution served can disclose that the warrant has been served or that records have been produced. The Library and its staff must comply with this order. No information can be disclosed to any other party, including the patron whose records are the subject of the search warrant.

The gag order does not change the Library’s right to legal representation during the search. Legal counsel should be called immediately, although the FBI does not have to wait until the Library receives legal counsel before acting on the court order. The North Shore Library has the right to contact an attorney, which is not a breach of the gag order because conversations are covered by attorney-client privilege.

If legal counsel cannot be reached, the Library Director, or designate, may contact the American Library Association Office for Intellectual Freedom (OIF) at (800-545-2433 x4223) and state only, “I need to speak with an attorney.” The OIF will put North Shore Library Staff in touch with an attorney familiar with FISA.