

PRIVACY POLICY

Somerset Public Library protects the privacy of library records and the confidentiality of patrons use of the library as required by [Wisconsin statute 43.30](#). The purpose of this policy is to further the understanding of the library users' privacy rights with regard to library facilities and services.

Types of protected library records

- a) Circulation records
- b) Workstation logs
- c) Materials consulted, borrowed or acquired
- d) Database search records
- e) Interlibrary loan records
- f) Other uses of materials, facilities, programs or services
- g) Reference interviews
- h) Program registration information beyond first name
- i) Signup sheets
- j) Request for Reconsideration forms
- k) Emails
- l) Voicemails
- m) Correspondence about library use
- n) Any other such records, with personally identifiable uses of materials, facilities, programs or services, which may be accumulated

Exceptions

Library records which indicate the identity of any individual who borrows or uses the library's documents or other materials may not be disclosed by law except in the following situations.

- a) With the consent of the individual library user, or
- b) By court order, or
- c) To custodial parents or guardians of children under the age of 16, or
- d) To persons acting within the scope of their duties in the administration of the library or library system, or
- e) To other libraries for interlibrary loan purposes.

Library use that is not protected by law

- a) Behavior, either by staff or security equipment, will be monitored to ensure the safety and security of the public and the staff. Incidents of property, bodily damage or criminal behavior are not protected by law. Cameras on the outside of the library may be viewed by law enforcement,
- b) Identification by sight and direct verbal communication by staff are not protected by the law,

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- c) Staff emails, sent or received while on the job are subject to a public records request and the records Retention Policy.

Requests of children under the age of 16

The requestor must be the child's "custodial parent," defined as any parent other than a parent who has been denied periods of physical placement with a child. The staff will:

- 1) Request identification
If the requestor is the parent or guardian listed on the child's library record and the requestor resides at the same address, the staff may provide the requested information, or
- 2) Complete and signed "request for access to child's library record" form to help ensure that the requestor is indeed the child's custodial parent or guardian and that the requestor has not been denied periods of physical placement with the child by law.

The Library staff will attempt to satisfy the request as soon as practicable and without unreasonable delay. In most cases this will be at the time of the request. If there is a question of the requester's guardianship, the staff person may delay the request until review by the library director and / or Library Board.

Handling of records requests

Library staff must refer the following requests for library records to the library director.

- a) Court orders

Note: All search warrants are court orders, but not all subpoenas are court orders. Library staff may not disclose library records in response to a subpoena that is not a court order if those records indicate the identity of library users.

If a law enforcement officer (or anyone else) brings a subpoena directing library staff to produce library records:

- (1) The library director should ask the municipal attorney (or library counsel) to review the subpoena.
- (2) If the subpoena has any legal defects, require that the defects be cured before records are released.
- (3) If appropriate, ask legal counsel to draft a protective order to be submitted to the court keeping the requested information confidential and limiting its use to the particular case.
- (4) Follow legal counsel's advice for compliance with the subpoena.

If law enforcement officers bring a court order in the form of a search warrant:

- (1) A search warrant is executable immediately, unlike a subpoena. The law enforcement officers may begin a search of library records as soon as they enter the library.

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REQUEST FOR ACCESS TO CHILD'S LIBRARY RECORD FORM

I am the custodial parent or legal guardian of _____ and I have not
Name of child under age 16
been denied periods of physical placement with the child by law.

I am requesting the following records from Somerset Public Library:

Signature of custodial parent or legal guardian _____ Date _____

