

Kaukauna Public Library Privacy Policy

Kaukauna Public Library collects the least amount of personally identifiable information as possible to avoid creating unnecessary records. Our library does not share your information to third parties unless we must use state debt collection or a collection agency, or are served with a court order, subpoena, warrant or national security letter, or unless a crime is committed on site, or with a third party as part of opted into services. However, the Library cannot completely ensure that the data collected will not be accessed by third parties. Safety and security is a spectrum with no certainty guaranteed.

State Laws regarding public library records

Kaukauna Public Library adheres to Wisconsin state statute §43.30 in regards to your public library records.

(1b) In this section:

(ae) "Collection agency" has the meaning given in s. [218.04 \(1\) \(a\)](#).

(ag) "Custodial parent" includes any parent other than a parent who has been denied periods of physical placement with a child under s. [767.41 \(4\)](#).

(b) "Law enforcement officer" has the meaning given in s. [165.85 \(2\) \(c\)](#).

- (1m)** Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources, or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 under sub. [\(4\)](#), to libraries under subs. [\(2\)](#) and [\(3\)](#), or to law enforcement officers under sub. [\(5\)](#).
- (2)** A library supported in whole or in part by public funds may disclose an individual's identity to another library for the purpose of borrowing materials for the individual only if the library to which the individual's identity is being disclosed meets at least one of the following requirements:
- (a)** The library is supported in whole or in part by public funds.
 - (b)** The library has a written policy prohibiting the disclosure of the identity of the individual except as authorized under sub. [\(3\)](#).
 - (c)** The library agrees not to disclose the identity of the individual except as authorized under sub. [\(3\)](#).
- (3)** A library to which an individual's identity is disclosed under sub. [\(2\)](#) and that is not supported in whole or in part by public funds may disclose that individual's identity to another library for the purpose of borrowing materials for that individual only if the library to which the identity is being disclosed meets at least one of the requirements specified under sub. [\(2\) \(a\)](#) to [\(c\)](#).
- (4)** Upon the request of a custodial parent or guardian of a child who is under the age of 16, a library supported in whole or part by public funds shall disclose to the

custodial parent or guardian all library records relating to the use of the library's documents or other materials, resources, or services by that child.

(5)

(a) Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at a library supported in whole or in part by public funds, the library shall disclose to the law enforcement officer all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the library.

(b) If a library requests the assistance of a law enforcement officer, and the director of the library determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the records to the law enforcement officer.

(6)

(a) Subject to par. (b) and notwithstanding sub. (1m), a library that is supported in whole or in part by public funds may report the following information as provided in par. (c):

1. Information about delinquent accounts of any individual who borrows or uses the library's documents or other materials, resources, or services.
2. The number and type of documents or materials that are overdue for each individual about whom information is submitted under subd. 1.

(b) If a public library discloses information as described in par. (a), the information shall be limited to the individual's name, contact information, and the amount owed to the library.

(c) A library may report the information as described in par. (a) to any of the following:

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

History: [1981 c. 335](#); [1991 a. 269](#); [2003 a. 207](#); [2007 a. 34, 96](#); [2009 a. 180](#); [2015 a. 169](#).

ALA Code of Ethics

Kaukauna Public Library also follows the Professional Ethics as noted in the American Library Association's Code of Ethics, which states:

1. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
2. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

4. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
6. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
7. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
8. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.
9. We affirm the inherent dignity and rights of every person. We work to recognize and dismantle systemic and individual biases; to confront inequity and oppression; to enhance diversity and inclusion; and to advance racial and social justice in our libraries, communities, profession, and associations through awareness, advocacy, education, collaboration, services, and allocation of resources and spaces.

How We Use Patron Data

All library staff are required to sign an internal confidentiality agreement upon hire, which stipulates that staff understand and agree to follow §43.30 in regards to public library records.

Our library asks for the following information on our application form for adults: Name, Address, Telephone Number, Email, Date of Birth and Driver's License Number. Parents or legal guardians are the only entity allowed to procure a card for a minor. A minor's application differs from the adult in the internet options and also lists the parent/legal guardian information as they are legally liable for the card until the minor turns 18. Your driver's license number is not entered into our integrated library system software for your protection; however, we do attach your digital signature into our system.

Patrons with overdue materials will either receive a piece of mail or an email regarding the overdue item. Patrons with a damaged or billed item will receive a piece of mail. We do not sell or use name, address, or phone numbers with any third party with the exception of opt-in notification services like text notices or collection agencies. We will never sell your email address or use it for anything other than communication about your library account, or any other services you have opted into yourself.

Identification may be required for use of library services, including issuing cards, updating cards when mail has been returned, reserving materials, registering for programs, using computers, or meeting rooms. This information is privileged under

§43.30. Identification may be necessary for safety and security purposes. Refusal to identify oneself may be grounds for denial of service or contacting law enforcement.

Our library card application form does ask users if they would like to opt in for email notifications regarding their account, or if they would like to sign up for our newsletter. We do use third parties to provide some of these services. We do retain license information on your physical application card, which is only used if you are sent to state debt collection for billed items over \$50 that have not been paid within 45 days of the intent to file letter.

Anonymous information, which is not personally identifiable, is also collected within the library. We generate monthly unidentifiable statistics, which include: door count, webpage visits, social media likes, checkouts and renewals, computer sessions, wireless sessions, items borrowed and items loaned, total cardholders and e-content data.

Who Has Access to It

All library user records are confidential. Library records may only be disclosed to library staff performing job duties, cardholders upon proof of identity, and law enforcement when valid. Your physical application card, which does have your driver's license number is stored in a locked, staff only area of the library, accessible only by library staff and cleaning personnel. Our Integrated Library Software (ILS) is accessible and used by employees only. A parent has access to library accounts for minors under the age of 16 per §43.

Library Materials and Borrowing History

The library does not keep records of your borrowing history; however, items that have been billed on your account or any fines generated are linked to a title in your payment history, accessible only by the billed patron and library staff. Notices sent to you via (hold, overdue, lost) are also present in our staff software, which does contain title history. Patrons that want to opt into their own record keeping of library checkouts may do so from inside their InfoSoup.org account, using the InfoSoup classic catalog feature. Library staff cannot opt in for patrons; however, they can assist you in signing up. **The Library may disclose information to cooperating libraries to assist patrons and provide interlibrary loans.**

Public Computers and Wireless Network

The library does not keep a record of your activities on any public computer or on our wireless network, however we do collect anonymous data regarding the number of minutes spent in a computer session or connected to our wireless. Sites that you access while on the internet may be storing cookies and your browsing history if you are logged into a personal email account. Once you close a session on our public access computer, our software wipes your entire use of our computer (cookies, browsing

history, and any files saved to the hard drive). While you are logged on, library staff can see your library barcode number within the time management software we use.

The library does offer public Wi-Fi that does not require a sign-in. As such, we cannot guarantee the safety of your data on our wireless network. We recommend not accessing sensitive data, such as banking records, while connected to any public Wi-Fi. We recommend using a VPN in those circumstances or using one of the library computers for sensitive data use.

Surveillance Cameras

Our library has security cameras inside and outside of the building for the safety and security of our patrons. Video footage (no audio) is kept on a 52-day cycle and is not archived beyond those 52 days. Library staff do have access to video footage for their own safety. Video footage cannot be released to anyone unless a crime has been committed or a valid subpoena, court order, or warrant is produced. Staff of the Kaukauna Police Department do have body cameras, which may be on if they are called to the facility.

Please note that the library also has a Photography and Film Policy. This denotes that as public buildings, library facilities are subject to similar rules associated with public spaces, meaning there are few restrictions. Please note that library staff may photograph and record programs and events for library publicity and promotional purposes. Patrons who do not wish to be included may tell library staff who will respect their wishes.

Data & Network Security

The Library is committed to data security. The Library operates secure data networks protected by industry standard firewalls and password protection systems. The Outagamie Waupaca Library system, the City of Kaukauna IT Department, and our own Technology Coordinator assess our data and network security on a regular basis. The Library cannot guarantee the safety of our public wireless Wi-Fi however.

Minor Privacy

Staff members will always respond to minors with care and concern, but responsibility for the welfare of children using the Library ultimately rests with the parent, legal guardian, or caregiver. Library staff cannot legally take responsibility for the care of children of any age. The public library, unlike schools, does not legally serve in loco parentis (in place of a parent). Library staff cannot act in the place of parents, therefore, responsibility for the care, safety, and behavior of children using the library rests solely with the parent/guardian or caregiver. We encourage parents to take an active role in their children's internet use and teach them about the importance of not revealing personal information online. Library card applications for minors do allow parents to opt into or out of juvenile internet access. If access has been granted, the library cannot serve in loco parentis on internet stations, which are not filtered. The library also cannot

serve in loco parentis on juvenile personal devices attached to our wireless internet in the facility, which is also not filtered.

Parents or guardians requesting records of children under 16 may be asked to provide proof of custodial authority and that they have not been denied periods of physical placement under §767.24(4). Examples of proof include a valid library card or government agency-issued photo ID showing the same address as the child, or other documents that demonstrate custodial responsibility.

Non-library websites

There are non-library websites linked through the library's website, which may not follow the same privacy policies as the library. While we do vet the sites listed on our website, we cannot guarantee their privacy policies or security. These sites are denoted on the website with the symbol of an arrow moving diagonally (to the right) out of a box.

Third-party vendors

The library works with many third party vendors to provide online learning, digital collections, streaming content, analytics, and other library services. Our third party vendors have their own privacy policies and terms of service, and are not beholden to the library's privacy policies.

Personal property left behind

Personal property left behind (in example, but not limited to: flash drives, tablets, cell phones, laptops, backpacks, paperwork) will not be examined by library staff to determine ownership.

Library staff will note when and where the item was found and will place it based on value or privacy either in the Library Director's office or in the lost and found.

Items of higher value, or those that may contain secure information will be held for 30 days, after which they will be dropped off at the police department as unclaimed property. Items of lesser value will be donated or destroyed after 30 days.

The lost and found will not be accessible to patrons, however they may describe lost items to staff who will in turn search for their property.

Retention of Records

The Kaukauna Public Library follows the state of Wisconsin's general records schedule.

Holds Policy

Due to §43.30 the only person allowed to pick up library holds on their account is the account holder, or with the physical library card of the cardholder. Kaukauna Public Library does have a form that patrons are welcome to fill out which authorizes the

library to check out their holds to a specific person, who is designated on the form. It is the responsibility of the form holder to notify the library if they choose to relinquish the authorization and the cardholder is liable for any materials check out and claimed by the person authorized to check out the holds.

Library Card Use

The cardholder is the only entity allowed to use the account. However, Kaukauna Public Library cannot ensure that the identity of the person checking out matches the identity of the cardholder. An added security measure at self-checks is in place, which requires a pin number for use. If a cardholder does not have their library card with them, identification is required to check out. If identification is not available, in limited circumstances, account information can be verified to ensure the individuals intending to check out is the cardholder. Patrons are liable for lost library cards and any fees associated with the loss and should immediately report the loss to library staff to place a stop on the account.

Library Use

At times, the Library receives inquiries as to patron building usage. If a law enforcement officer is inquiring on whether or not a patron is present in the building, the Library will refer to §43 requirements. Notwithstanding §43 laws on library privacy and confidentiality:

Adults (16+)

The Library will not disclose information on who is in the building pending §43.

Minors Under 16

In the event of an adult approaching a service desk in regards to a missing child, library staff will page the child if they are old enough to understand a request to come to a service desk. If the child is not old enough to understand, staff will enact the missing child procedure.

If a caregiver calls the library looking for a child, staff should make a PA announcement asking that child to come to the service desk. If the child does not come to the service desk, staff may ask for information on what they are wearing, but if no one comes forward or matches the description, library staff may ask for contact information from the caller in the event that the child enters the facility.