

<b>Presque Isle Community Library</b>	
<b>Title:</b>	PRIVACY AND CONFIDENTIALITY POLICY
<b>Original Adoption Date:</b>	January 14, 2014
<b>Suggested Review Cycle:</b>	Every 5 yrs
<b>Revision Date(s):</b>	August 09, 2016

**PURPOSE:** To ensure patron's privacy and confidentiality through adherence to Wisconsin Statute 43.30.

**POLICY:** Patron identity and records of patron use are confidential per Wisconsin Statute 43.30. To ensure support of privacy and confidentiality, all Library employees and volunteers are required to read and sign the Merlin Confidentiality of Library Records form (a copy of which is attached).

Presque Isle Community Library follows the guidelines of the American Library Association.

- Freedom to Read Statement - <http://www.ala.org/advocacy/intfreedom/statementspols/freedomreadstatement>
- Library Bill of Rights - <http://www.ala.org/advocacy/intfreedom/librarybill>
- Code of Ethics - <http://www.ala.org/advocacy/proethics/codeofethics/codeethics>

**GUIDELINES:**

1. If a patron fails to return materials, the Library Director may disclose circulation information and correspondence to appropriate legal authorities involved in securing return of, or payment for, these materials.
2. The Library Director may disclose relevant library information to other cooperating libraries in order that all libraries may effectively do their jobs to assist patrons and maintain safety and security.
3. If the Library has cause to believe that a criminal act has been committed on Library property, the Board and Library Director will cooperate with law enforcement authorities to obtain proper court orders for release of such library records as may be necessary for criminal investigation and prosecution.

## CONFIDENTIALITY OF LIBRARY RECORDS

In accordance with *Wisconsin Statute* s.43.30 and Wisconsin's Personal Information Practices Act (Sections 19.62 and 19.80), this library protects the privacy of library records and the confidentiality of patron use of the library as required by relevant laws. In addition, the library board supports the principle of freedom of inquiry for library patrons, and has adopted this policy to protect against unwarranted invasion of the personal privacy of library users.

Merlin staff accounts permit access to the patron database and circulation records of all Merlin member libraries. Therefore, access to this database is limited to qualified staff and trained volunteers who must read, agree to and sign the following:

I hold in strict confidence all information on registered patrons and their borrowing needs. Under no circumstances will I divulge circulation, registration, information retrieval records, or any other information which may be requested by a third party for whatever reason.

Disclosure of records is permitted only under the following conditions:

- (1) to persons acting within the scope of their duties in the administration of the library or the library system;
- (2) with the consent of the individual library user;
- (3) to other libraries (under certain circumstances) for interlibrary loan purposes [see ss. 43.30(2) and (3)];
- (4) by court order; and [It is understood that law enforcement agencies and officers may at times believe that library records contain information which would be helpful to the investigation of criminal activity. Library staff will resist the issuance of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction. The exception to this is for federal agents with an appropriate warrant per Public Law 107-56 "USA Patriot Act." In such a case, no delay is possible and library workers are prohibited from informing the customer in question.]
- (5) following *Wisconsin Statute* s.43.40(4). [In accordance with *Wisconsin Statute* s.43.40(4)., custodial parents or guardians of children under age 16 may, upon request, review library records pertaining to their children's use of the library's documents or other materials, resources, and services. Custodial parents and guardians must sign the library release form certifying that the requester is the custodial parent or guardian of the child whose records have been requested before the library will provide those records to the parent or guardian. Any library that has not adopted a records release policy may use the policy approved by the Northern Waters Library Service. ]

Under these conditions, I will protect each library user's right to privacy and confidentiality with respect to information sought or received and materials consulted, borrowed, acquired or transmitted.\*

*\*ALA "Code of Ethics" point 3.  
Adopted by the Merlin Consortium on July 20, 2006  
Approved by the NWLS Board of Trustees on September 16, 2006*

Name \_\_\_\_\_ Date \_\_\_\_\_

Library \_\_\_\_\_