

# SUN PRAIRIE PUBLIC LIBRARY

## *CONFIDENTIALITY POLICY*

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### **I. Purpose**

- A. The purpose of the policy is to protect users' right to privacy. Confidentiality is the primary means of providing privacy.

### **II. Chapter 43.30**

- A. Reading interests and activities of library users are protected under Wisconsin Statute 43.30 (1), which reads as follows:
  - 1. 43.30 Public Library Records. (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 as authorized 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). History: 1981 c. 335; 1991 a. 269.
- B. The library board of trustees interprets this statute to include all transactions associated with the use of library materials including registration records, circulation records, interlibrary loan forms, records of reference questions, and other documents or electronic records or surveillance videotapes which would link the individual with particular materials or services.
- C. Library staff will maintain respect for confidentiality regarding patron reading or related interests in both informal conversation as well as formal duties.

### **III. Requests for Information by Library Users**

- A. Individuals may only check on their own library records. An individual will be permitted to view their registration and circulation records only upon presentation of their library card, library notice or acceptable identification. Corroborating identification may be required at the discretion of the library staff. Information as to circulation activity (titles, number of items charged, existence of overdues or bills) will be given by telephone only if the caller can correctly state their name, address, telephone number, and library barcode number.
- B. A parent or guardian inquiring about the library records of a child under age 16 must present that child's library card. A parent or guardian inquiring about the library records of a child, age 16 to 18, or an adult conducting library business for another adult must present written permission from that person and/or that person's library card or library notice. Library staff will not knowingly give one person's registration or circulation information to another person.

#### **IV. Requests for Information by Law Enforcement Officials**

Records shall not be made available to any agency of state, federal or local government except pursuant to such process, order or subpoena as may be authorized by a court of competent jurisdiction. Upon receipt of such request, the library director or supervisor in charge will consult with the city attorney and will respond to the request according to advice of counsel. The library staff will cooperate fully with the terms of the request and will release those records, *and only those records specified*, to the authority. Any cost incurred by the Sun Prairie Public Library in performing a court ordered search may be billed to the agency requesting the search.

#### **V. Requests for Information for Fund Raising Efforts**

At the discretion of the Library Director, the library patron database may be used to develop mailing lists for fund raising projects that benefit the library. The library staff will be responsible for producing such lists and processing the mailings for such projects that may be generated either by the Sun Prairie Public Library Foundation or the Friends of the Sun Prairie Public Library. Such lists will not be released directly to either the Foundation or Friends organizations.

*Adopted: August 21, 2002*

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