



South Milwaukee Library

1907 10th Avenue
South Milwaukee, WI 53172
P (414)768-8195
W smlibrary.org

Patron Privacy Policy

Approved by the Library Board of Trustees, 5/23/2024

Privacy Statement

An important principle of the South Milwaukee Public Library (SMPL) is protecting patron privacy and keeping confidential the information that identifies or that associates individuals with their use of library books, materials, equipment, programs, services, facilities, and/or staff assistance. This policy affirms SMPL's commitment to privacy and explains the information that SMPL 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 to seek information through library resources without having the subject of interest known or examined by others.
- Confidentiality exists when SMPL possesses personally identifiable information and keeps that information private on the patron's behalf.
- Personally identifiable information is information such as name, library card number, e-mail or mailing address, telephone number, or any financial information relating to patrons and their accounts.

Legal Protections and Exceptions

Wisconsin law has strong protections in place to assist SMPL in keeping records confidential. Staff members are provided training in handling requests from law enforcement. Staff procedures are included as Appendix A.

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

Wisconsin State Statute 43.30 requires that library records may be disclosed only 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 a court order;



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4. Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at SMPL. In this instance, SMPL shall disclose all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of SMPL;
5. To persons acting within the scope of their duties in the administration of SMPL 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 Sections 13.30(2) and (3);
7. To a qualifying third party* to assist with delinquent accounts. Under the provision of the law, SMPL may only disclose the individual's name, contact information and the quantity, types and value of unreturned materials, not the titles of the items.
 - o Qualifying third parties are:
 - o A collection agency
 - o A law enforcement agency, but only if the dollar value of the individual's delinquent account is at least \$50.

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

SMPL 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, and a physical address as well as mailing address (if different). The identifying information is retained, as long as a patron continues to use the library card. In most cases, the information will be in the database for a maximum of three years after a patron stops using the library card, at which time the record is deleted. SMPL does not record or save patrons' Social Security numbers or state drivers' license numbers.
2. A patron's circulation record includes current identifying information, items currently checked out or on hold, overdue materials and fines, and three years of financial transactions. When an item is returned, it is removed from a patron's checkout list. However, patrons who themselves sign up for the



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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. SMPL staff do not have access to a patron's checkout history.

3. MCFLS software retains a rolling list of the last five patrons to check in material on each item record. This data is automatically removed once a patron's data goes beyond the five maximum entries.
4. SMPL may also gather information necessary to provide a requested service to a patron including, but not limited to, the following examples:
 - o 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;
 - o Records for interlibrary loan requests or reference services;
 - o Records needed to sign up for or participate in library classes and programs;
 - o Records for use of meeting rooms;
 - o Records for receiving notifications about library services and programs.Once there is no longer a need for the information, personally identifying records are destroyed. Emails sent to SMPL email accounts may be subject to open records requirements.
5. SMPL treats records as confidential in accordance with Wisconsin State Statute 43.30. SMPL will not collect or retain private personally identifiable information without a patron's consent. If consent to provide personally identifiable information is given, SMPL will keep it confidential and will not sell, license or disclose it to any third party, except for purposes described by law.

Protecting a Patron Account

A patron is responsible for notifying SMPL immediately if a library card is lost or stolen or if they believe someone is using their card or card number without permission. SMPL recommends these precautions:

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

Keeping Account Information Up to Date

Patrons may access their personally identifiable information held by SMPL and are responsible for keeping the information accurate and up to date. The purpose of



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accessing and updating personally identifiable information is to ensure that SMPL operations can function properly. Patrons may view or update their personal information through the MCFLS online catalog or in person at SMPL.

Parental Access to Children's Records

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.

According to Wisconsin State Statute 43.30(1b)(ag) "Custodial parent" includes any parent other than a parent who has been denied periods of physical placement with a child under statute 767.41(4).

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 SMPL. Patrons may designate other individuals to have permission to pick up their holds. Holds will be checked out on the library card of the patron that placed the hold.

Public Computer Use and the Library's Automation Systems

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

MCFLS maintains the online catalog and a number of databases. MCFLS automatically collects and maintains statistical information about patrons' visits to the library catalog and databases. This information includes the Internet Protocol (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 patrons are not identified. Network traffic is monitored to identify unauthorized attempts to upload or otherwise damage the web service. If a patron chooses to pay fines and fees via credit card, the credit card number is not stored in the patron's library account; it is simply passed through to the payment processor.



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Websites

SMPL's website is a subsite of the City of South Milwaukee website and contains links to other sites including third-party vendor sites. SMPL is not responsible for the privacy practices of other sites, which may be different from the privacy practices described in this policy. SMPL encourages patrons to become familiar with privacy policies of other sites visited, including linked sites.

The SMPL website does not collect personally identifying information from visitors to the website unless a patron requests a service via the library website. SMPL and the City of South Milwaukee 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 SMPL's website, 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, such as filling out an online form to request a service.

SMPL 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 patron's browser from a website. The cookie itself does not contain any personally identifiable information. Other electronic services offered by SMPL 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.

SMPL database users may be asked for their library card number to ensure that only authorized patrons have access. Database vendors do not have access to any patron records or information.

SMPL and MCFLS work with a variety of partners to provide digital content to patrons. Prior to using any digital content, patrons should be aware of the privacy policy of the company that is providing the service.

Wireless Internet Access

SMPL offers wireless Internet access (Wi-Fi) for patrons to use with their own mobile devices. These access points are unsecured. A patron's use of this service is governed by SMPL's Computer and Internet Use Policy.



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Due to the proliferation of Wi-Fi networks, patrons may also be able to access other Wi-Fi networks within SMPL that are not provided by SMPL. Use of these non-library networks within the Library's facilities is also governed by SMPL's Computer and Internet Use Policy.

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

Other Services

Patrons may choose to take advantage of e-mail or text message notifications and similar services that send personally identifiable information related to library use via public communication networks. SMPL has limited ability to protect the privacy of information once it is outside SMPL's control.

Radio Frequency Identification (RFID)

SMPL uses 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 checked out or not. RFID technology is not used in library cards.

Library Photos and Videos

SMPL may take photos and recordings at SMPL and during SMPL events to use in its publicity materials and on its website and social media sites. SMPL reserves the right to document its services and the public's use of SMPL. These photographs and recordings may be copied, displayed, televised, and published (including to any SMPL or City of South Milwaukee website or social media site). Any patron that does not wish SMPL to use a photograph or recording of them should inform SMPL prior to or while such photographs or recordings are being taken.

Illegal Activity Prohibited and Not Protected

Patrons may conduct only legal activity while using SMPL resources and services. Nothing in this policy prevents SMPL from exercising its right to enforce its Code of Conduct; protect its facilities, network, and equipment from harm; or prevent the use of SMPL facilities and equipment for illegal purposes. SMPL 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 SMPL policy is suspected. Staff is authorized to take immediate action to protect the security of



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patrons, staff, facilities, computers and the network. This includes contacting law enforcement authorities and providing information that may identify individuals suspected of violations.

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 SMPL may conduct an investigation or review of practices and procedures. SMPL conducts such reviews as necessary to ensure compliance with the principles outlined in this policy.

Policy Changes

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