

Stillwater

Public Library

Policy Title: Data Practices Policy
Date adopted: 08/06/1996
Date amended: 07/07/1998; 07/06/1999; 08/14/2007; 04/13/2021
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Purpose

The purpose of this policy is to communicate Stillwater Public Library's (the "Library") role and responsibility to safeguard patron data and to describe the obligations and constraints under which the Library operates.

Principles

The Library's commitment to privacy and confidentiality has deep roots not only in law, but also in the ethics and practices of the library profession. We value and advocate for patron privacy and confidentiality. We value intellectual freedom and a patron's right to open inquiry without having the subject of one's interest examined or scrutinized by others. We recognize that networked and digitized environments create new and ongoing challenges to safeguard patron data.

Definition and Scope

For the purpose of this policy, "patron data" is defined as information that identifies a Library patron or information that can be connected to a patron. It is a form of government data and is subject to federal law, Minnesota State Statutes, and Library data governance policies and procedures.

Patron data includes, but is not limited to, information associated with borrowing library materials and requesting information, using the Library's computers and wireless service, reserving Library meeting rooms, and accessing downloadable content and other resources via third party vendors.

Library Data Privacy

The Library shall comply with the applicable federal, state and local laws on private data. In the state of Minnesota, all government data including patron data is public unless it has been classified otherwise by state statute or federal law. Pursuant to Minnesota Statute §13.40, the following data maintained by the Library are private data on individuals and may not be disclosed for other than a Library purpose, except pursuant to a court order:

- Data that link a patron's name with materials requested or borrowed by the patron or that link a patron's name with a specific subject about which the patron has requested information or materials.
- Other than the name of the patron, which is public, any information on the Library card application.

Circumstances When Private Data May Be Released:

1. Patrons may access the data that is about themselves.
2. The Library may release reserved materials to a family member or other person who resides with a library patron and who is picking up the material on behalf of the patron. A patron may request that reserved materials be released only to the patron.

3. Private data may be disclosed to a parent or guardian of a minor or vulnerable adult. In the case of a minor, the Library shall, upon request by the minor and after receiving a completed Request for Denial of Parental Access to Private Data Form from the minor, withhold data from a parent or guardian if the Library determines that withholding the data would be in the best interest of the minor. (See Minnesota Administrative Rules Chapter 1205.0500, Subpart 3, regarding the access procedures for a parent or guardian.)
4. The Library may release private data pursuant to a subpoena, warrant, court order, or other authorized request that legally requires compliance. (See also Minnesota Statutes §§13.02, 13.05, 13.40.)

Collecting and Retaining Patron Data

The Library collects and retains patron data which is:

- Necessary for the provision and management of Library services
- Needed to provide opt-in library services that are desired by Library patrons
- Required by federal law

Networked and Digitized Library Environment

The Library provides access to the internet via its wireless network and by making its computers and other devices available to patrons. The Library does not routinely monitor what patrons do while using the library's computers or other devices; however, staff are authorized to investigate and resolve instances of reported or observed usage of Library resources that may violate policy or law.

Patron Library card numbers, and the location and time of patron logins are collected to manage the queues for using Library computers. For wireless connections, the date and time of a wireless connection and the MAC address of the device that is connected through the wireless network is retained for a period of time determined by City of Stillwater IT staff.

The Library's collection is also a part of the networked, digitized Library environment. Patrons increasingly borrow Library materials by accessing and downloading them via third party vendors. Vendors who are under contract with the Library are subject to the same federal and state data privacy laws as the Library.

Handling and Disclosing Patron Data

Library staff and volunteers maintain patron data in accordance with Library policies and procedures and the Minnesota Government Data Practices Act. Any data maintained by the Library under the Minnesota Government Data Practices Act may be requested from Library staff. If the Library has the requested data, but is not allowed to disclose it, the Library will inform the requesting party as soon as reasonably possible and identify the law that prevents the Library from providing the data. If the Library has the requested data, and the data is public, the Library will respond to the data request appropriately and promptly, within a reasonable amount of time.

The Library does not give, share, sell, or transfer patron data for commercial purposes.

Roles and Responsibilities

Library staff adhere to the principles espoused in this policy. Staff shall refer any law enforcement inquiries to the Library Director or his/her designee. Requests for private data may require the Library Director to consult with the Library Board President, City Clerk, and/or City Attorney. Library records with private data will not be made available to any agency of the state, federal, or local government

unless the Library is served with a subpoena, warrant, court order, or other authorized request that legally requires compliance.

Library patrons have the responsibility to safeguard their personal privacy, report lost library cards, manage their library account privacy settings, familiarize themselves with the privacy policies of the third party vendors they access, and be aware that the Library cannot protect the privacy of data that is transmitted to third parties via the Internet.

Associated Policies and Laws

- Stillwater Public Library: Internet Public Use Policy
- Minnesota. [Government Data Practices Act](#)
- Minnesota. Administrative Rules 1205.0500. [Access to Private Data Concerning Data Subjects Who Are Minors](#)
- United States. [Children's Online Privacy Protection Act](#)
- United States. [Electronic Communications Privacy Act](#)

The most current policy supersedes any and all previous policies issued relative to this subject.