

Village of Mukwonago
Notice of Meeting and Policy Committee Agenda

LIBRARY BOARD OF TRUSTEES MEETING
Tuesday, September 26, 2023

Time: **12:00 pm**

Place: **Mukwonago Community Library, 511 Division St., Mukwonago, WI 53149**

1. Call to Order

2. Roll Call and Introduction of Guests

3. Approval of Minutes

3.a Minutes from June 29, 2023

[Policy Committee Meeting Minutes 20230629_unapproved.pdf](#)

4. Discussion/Action Items

4.a Confidentiality, Privacy, and Surveillance Policy

Discussion and possible action on the draft of the Confidentiality, Privacy, and Surveillance Policy as reviewed by the Village's legal counsel.

[DRAFT Confidentiality, Privacy, and Surveillance Policy_from legal 20230920.pdf](#)

4.b Public Computers and Internet Access Policy

Discussion and possible action on an updated draft of the Public Computers and Internet Access Policy.

[DRAFT Public Computers and Internet Access Policy_for PC 20230926.pdf](#)

5. Referral Items

6. Confirm Next Meeting Date

7. Adjourn

It is possible that a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Municipal Clerk's Office, (262) 363-6420.

Mukwonago Library Board
Policy Committee DRAFT Meeting Minutes
Meeting of Thursday, June 29, 2023

I. REGULAR ORDER OF BUSINESS

A. The meeting was called to order at 11:02 a.m., June 29, 2023 by Policy Chair Howard Pringle. In attendance were committee members Trustees Donna Whalen and Howard Pringle. Trustees Diane Magolan and Carol Stienstra were unable to attend and excused. Also in attendance was Library Director Abby Armour.

B. Public Comment.

There were no public comments.

C. The minutes of the April 27, 2023 Policy Committee meeting were reviewed. The minutes were approved as submitted.

Motion by Whalen, second by Pringle. Motion approved.

II. NEW BUSINESS – DISCUSSION / ACTION ITEMS

A. Public Behavior Policy

Library Director Armour explained and detailed the changes to the Public Behavior Policy that had been reviewed by Village legal staff after the last Policy Committee meeting which was being presented to the Committee for final review. Some significant changes were made to the previous draft policy. The Committee recommends that the revised policy incorporating the language from legal staff be forwarded to the Board for approval and adoption at the July 13 Board meeting.

Motion by Whalen, second by Pringle. Approved.

B. Surveillance Camera Usage Procedures

Library Director Armour reviewed the Surveillance Camera Usage Procedures so as to discuss whether these procedures should continue to be handled as procedures and not subject to periodic review by the Board or whether they should either be retitled as a policy or incorporated into an existing policy. The Committee recommends that the "Surveillance Camera Usage Procedures" be incorporated into the "Confidentiality and Privacy Policy" which shall be renamed the "Confidentiality, Privacy, and Surveillance Policy" and forwarded to the Village legal counsel for review and, after legal review, returned to the Policy Committee for final review at its next meeting.

Motion by Whalen, second by Pringle. Approved.

C. Confidentiality and Privacy Policy

Library Director Armour reviewed the “Confidentiality and Privacy Policy” to discuss whether this policy should incorporate sections of other policies to consolidate into a single policy for efficiency and ease of use. In the prior motion, the Committee determined that renaming the policy and incorporating the “Surveillance Camera Procedures” would achieve user-friendly and logical consolidation.

Motion by Whalen, second by Pringle. Approved.

III. REFERRAL ITEMS

There were no referral items.

IV. NEXT MEETING DATE

The next meeting of the Policy Committee is to be determined, pending receipt of documents from Village legal counsel.

V. ADJOURNMENT

Whalen moved, second by Pringle that the meeting be adjourned. Motion passed unanimously. The meeting adjourned at 11:55 a.m.

Minutes submitted by Howard Pringle, June 29, 2023

Mukwonago Community Library

Confidentiality, Privacy, and Surveillance Policy

DRAFT for Legal Review

Protecting Library user privacy and keeping confidential information that identifies individuals or associates individuals with their use of library books, materials, equipment, programs, services, facilities, and/or staff assistance is an important principle of the Mukwonago Community Library (MCL). This policy affirms the MCL's commitment to privacy, explains the information that the Library collects, and alerts visitors to Library facilities and users of remotely accessed Library services of the privacy choices available to them.

- I. Definition of Terms
- II. Legal Protections and Exceptions
- III. Library Records
- IV. Access to Accounts and Patron Responsibility
- V. Public Computer Use and the Library's Automation Systems
- VI. Radio Frequency Identification (RFID)
- VII. Library Photos
- VIII. Video Surveillance
- IX. Illegal Activity Prohibited and Not Protected
- X. Enforcement and Redress

Appendix A: Procedures for Complying with Law Enforcement Request for Information

Appendix B: Surveillance Camera Usage Procedures

I. Definition of Terms

- A. "Privacy" is the right to seek information through Library resources without having the subject of interest known or examined by others.
- B. "Confidentiality" exists when the Library possesses personally identifiable information and keeps that information private on the Library user's behalf.

C. "Personally identifiable information" is information such as name, library card number, e-mail or mailing address, telephone number, or any financial information relating to a patron and his or her accounts.

~~C.D.~~ "Library System" is a legal entity established under Wis. Stat. § 43. MCL has elected to participate in a Library System and therefore benefits from shared costs for databases, collections, and services. The Library System facilitates the purchase and maintenance of the shared catalog, patron database, and digital resources. MCL has no control over the Library System's collection of any patron information and MCL does not use or disclose any of that information.

II. Legal Protections and Exceptions

Wisconsin law has strong protections in place to assist public libraries in keeping records confidential. 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 an FBI National Security Letter or Foreign Intelligence Surveillance Act Warrant. Staff members are provided training in handling requests from law enforcement. The staff procedure can be found in Appendix A to this policy.

- A. The relevant Wisconsin laws concerning the confidentiality of library records are Wis. Stat. § 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.
- B. Wis. Stat. § 43.30 requires that library records may only be disclosed under the following circumstances:
 - i. With the consent of the individual library user.
 - ii. To a custodial parent or legal guardian of a juvenile under 16 years of age.
 - iii. By court order.
 - iv. Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at the Library. In this instance, the Library shall disclose all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the Library.
 - v. To persons acting within the scope of their duties in the administration of the Library or library system.
 - vi. To other libraries for interlibrary loan purposes in accordance with the standards set forth in Wis. Stat. § 43.30 (2) and (3).
 - vii. To a qualifying third party to assist with delinquent accounts. Under the provisions of the law, the Library may only disclose the individual's name; contact information; and the quantity, types, and value of unreturned materials, not the titles of the items. A "qualifying third party" is a law enforcement agency (but only if the dollar value of the individual's delinquent accounts is at least \$50), and/or a collection agency.

III. Library Records

MCL avoids creating unnecessary records and retaining records longer than needed for Library business purposes.

- A. To receive a Library card, Library users are required to provide identifying information such as name, birth date, picture ID, and physical address as well as

mailing address (if different). The identifying information is retained as long as the Library user continues to use the Library card. In most cases the information will be in the database for a maximum of three (3) years after the individual stops using the Library card at which time the record is deleted.

- B. A Library cardholder's circulation record includes current identifying information, items currently checked out or on hold, as well as overdue materials and fines. Library cardholder records show current checkouts. When an item is returned, it is removed from the cardholder's checkout list. However, cardholders who sign up for the reading history service will have their checkout history saved instead of purged. The cardholder has the option to turn off the service and delete their reading history at any time.
- C. Ninety (90) days after an item is returned, the Library System removes the information regarding the last user to check it out which deletes the user from the item history log. Any given item's history log is not accessible by anyone but library staff, and the information on an item's history log is only used for internal purposes. If the item had associated fines, the fine transactions are saved.
- D. MCL may also gather information necessary to provide a requested service to a Library user including but not limited to the following examples:
 - i. 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
 - ii. Records for interlibrary loan requests or reference services
 - iii. Records needed to sign up for or participate in library classes and programs
 - iv. Records for use of meeting rooms
 - v. Records for receiving emails and/or text messages about library services and programsOnce there is no longer a need for the information, personally identifying records are destroyed.

E. Emails sent to Library staff may be subject to open records requirements.

E-F. MCL treats records as confidential in accordance with Wis. Stat. § 43.30. The Library will not collect or retain private and personally identifiable information without the person's consent. If consent to provide personally identifiable information is given, the Library will keep it confidential and will not sell, license, or disclose it to any third party, except for purposes described by the law.

IV. Access to Accounts and Patron Responsibility

A. Protecting a Patron Account

It is the patron's responsibility to notify MCL immediately if a library card is lost or stolen or if the cardholder believes someone is using the card or card number without permission. The Library recommends these precautions:

- i. Log off systems after use
- ii. Don't share the library card, user IDs, or passwords
- iii. Select passwords which are easy to remember, but difficult for others to guess by including a mixture of numbers, symbols, and/or upper and lowercase letters

B. Keeping Account Information Up-To-Date

A Library user may access their personally identifiable information held by the Library and is responsible for keeping the information accurate and up-to-date. The purpose of accessing and updating personally identifiable information is to ensure that library operations can function properly. A patron may view or update their personal information in person. They may be asked to provide some sort of verification or identification card to ensure verification of identity.

C. Parents and Children

For the protection of Library users, parents/legal guardians seeking records of their minor child, under age sixteen (16), may be asked to provide proof of their child's age as well as evidence they are the custodial parent. According to Wisconsin State Statute 3.30(1b)(1a) "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).

D. Items on Hold

Items placed on hold for Library users are shelved for pick-up in the public areas of the Library. Library cardholders of any age may choose to have other people pick up their holds. To reduce errors and ensure privacy, holds can only be checked out on the card that held the item. See the "Circulation Policy" for more information.

V. Public Computer Use and the Library's Automation System

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

A. The Library System

The Library System maintains the online catalog and a number of databases. The Library System automatically collects and maintains statistical information about library users' visits to the library catalog and databases.

- i. This information includes the IP address of the visitor, the computer and web browser type, the pages used, the time and date, and any errors that occurred.
- ii. This information is used for internal reporting purposes and individual users are not identified.
- iii. Network traffic is monitored to identify unauthorized attempts to upload or otherwise damage the web service.
- iv. If a Library user chooses to pay fines and fees via credit card, the credit card number is not stored in the user's library account; it is simply passed through to the payment processor.
- v. Library database users are asked for their library card number to ensure that only authorized users have access. Database vendors do not have access to any user records or information.
- vi. MCL and the Library System work with a variety of partners to provide e-content (e.g. e-books, e-audios, e-music, e-videos, e-magazines) to users. Prior to checking out any of the Library's e-content users should read the privacy policy of the company that is providing the service. For example, users who check out e-books from the Wisconsin Digital Library for use on their Kindle (or via a Kindle app) will receive those e-books via Amazon. Amazon's privacy policy describes the kind of information that is collected and stored in connection with such transactions. However, all other e-book formats within the OverDrive collection do not collect this information.

B. Library Website

MCL maintains a website to inform Library users of events, resources, and collections available through the Library.

- i. The Library's website contains links to other sites including third party vendor sites. The Library is not responsible for the privacy practices of other sites which may be different from the privacy practices described in this policy. The Library encourages Library users to become familiar with privacy policies of other sites visited, including linked sites.
- ii. The Library's website does not collect personally identifying information from visitors to the website unless the Library user requests a service via the Library website.
- iii. The Library 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 the Library's site, and time and date of the access. There is no link to personally identifiable information in computer communications, unless a

Library user has provided that information in the content of a transaction, for example, filling out an online form to request a service.

- iv. MCL's website uses temporary "cookies" to maintain authentication when a user is logged in to the online catalog. A "cookie" is a small text file that is sent to a user's browser from a website. The cookie itself does not contain any personally identifiable information. Other electronic services offered by the Library 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.

C. Wireless Access

MCL offers free wireless access (Wi-Fi) for Library users to use with their own personal notebooks, laptops, and other mobile devices. A Library user's use of this service is governed by the Library's "Public Computers and Internet Access Policy."

- i. Due to the proliferation of Wi-Fi networks, Library users may also be able to access other Wi-Fi networks within the building that are not provided by the Library. Use of these non-Library WiFi networks within the Library's facilities is also governed by the Library's "Public Computers and Internet Access Policy."
- ii. As with most public WiFi "hotspots," the Library's WiFi connection is not secure. Any information being transmitted could potentially be intercepted by another WiFi user. Cautious and informed WiFi users should choose not to transmit personal information (credit card numbers, passwords and any other sensitive information) while using any WiFi "hotspot."
- iii. Use of MCL's WiFi network is entirely at the risk of the user. The Library disclaims all liability for loss of confidential information or damages resulting from that loss.

D. Other Services

Some Library users may choose to take advantage of RSS feeds from the Library's website, notices for holds and overdue items via e-mail or text message, and similar services that send personally identifiable information related to Library use via public communication networks. Users should also be aware that MCL has limited ability to protect the privacy of this information once it is outside the Library's control.

VI. Radio Frequency Identification (RFID)

MCL 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 in or out of the library. RFID technology is not used in library cards.

VII. Library Photographs and Recordings

MCL reserves the right to utilize recordings to promote the services and programs it provides.

- A. MCL does not share Library users' personally identifiable information with third parties or vendors that provide resources or Library services, unless the Library obtains explicit permission from the user or if required by law or existing contract.
- B. MCL staff may record Library programs, activities, and events for use in marketing and promotions. This may include video, audio, and/or photographic recordings.
 - i. The Library will post signage to indicate when recording may occur.
 - ii. If a library user does not wish to be recorded, they may tell the staff member.

VIII. Video Surveillance

In order to maintain a safe and secure Library, selected public areas of the Library building and property may be under continuous video surveillance and recording.

~~A. Images from the Library surveillance system may be stored digitally on hardware in the Library. It is the intent of the Library to retain all recorded images for a minimum of thirty (30) days, or until image capacity of the system is reached. Then, the oldest stored images will be automatically deleted by system software to make room for new images. Typically, images will not be routinely monitored in real time, nor reviewed by Library staff, except when specifically authorized by the Library Director.~~

B. MCL does not use surveillance cameras to monitor, track, or profile library user's use of library resources beyond operational needs related to safety and security.

C. All footage recorded by MCL surveillance cameras is considered a "record" under Wis. Stat. § 19.32(2) and is subject to Wisconsin's Public Records Law in Chapter 19 of the Wisconsin Statutes.

~~A-D. Images from the Library surveillance system may be stored digitally on hardware in the Library. Footage is retained according to the applicable Records Disposition Authorizations approved by the Wisconsin Public Records Board, FAC00082 and FAC00082A. It is the intent of the Library to retain all recorded images for a minimum of thirty (30) days, or until image capacity of the system is reached. Then, the oldest stored images will be automatically deleted by system software to make room for new images. Typically, images will not be routinely monitored in real-time, nor reviewed by Library staff, except when specifically authorized by the Library Director~~

~~B-E. While it is recognized that video surveillance will not prevent all incidents, its potential deterrent effect, and resource as a means of identifying and prosecuting offenders is considered worthwhile.~~

G.F. Video surveillance data that indicates the identity of any individual who borrows or uses the library's documents or other materials, resources, or services are considered to be protected public library records. State Statutes carefully define law enforcement officials' authority to view surveillance data, and the Library will cooperate with law enforcement officials as permitted by Wis. Stat. § 43.30 (5) in two specific circumstances:

- i. 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.
- ii. 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.

See Appendix B for "Surveillance Camera Usage Procedures."

IX. Illegal Activity Prohibited and Not Protected

Library users may conduct only legal activity while using Library facilities, resources, and services. Nothing in this policy prevents MCL from exercising its right to enforce its Code of Conduct; protect its facilities, network, and/or equipment from harm; or prevent the use of Library facilities and equipment for illegal purposes.

- A. MCL staff is authorized to take immediate action to protect the security of Library users, staff, facilities, computers, and networks. This includes contacting law enforcement authorities and providing information that may identify the individual(s) suspected of a violation.
- B. The Library 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 Library policy is suspected.
- C. Authorized staff may review surveillance camera recordings at any time and may contact law enforcement if illegal or dangerous behavior is suspected.
- D. MCL staff may observe any meeting, program, or use of any Library space at any time and reserve the right to ask Library users to leave or to contact law enforcement when a violation of law or Library policy is suspected.

X. Enforcement and Redress

Library users 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. The Library Director is custodian of Library records and is authorized to receive or comply with public records requests or inquiries from law enforcement officers. The Library Director may delegate this authority to designated members of the Library's management team.
- B. A response will be sent in a timely manner and MCL may conduct an investigation or review of practices and procedures. The Library conducts such reviews as necessary to ensure compliance with the principles outlined in this policy.
- C. The Library Director may confer with the Village Clerk or Municipal Attorney before determining the proper response to any request for records.
- D. The Library will not make Library records available to any agency of state, federal, or local government unless a subpoena, warrant, court order or other investigatory document is issued by a court of competent jurisdiction, showing good cause and in proper form.
- E. All MCL staff are trained to refer any law enforcement inquiries to the Library Director.

Revision History

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|--------------------------|--|
| October 20, 2016 | Created as new standalone policy from MCL Circulation Policy with policy framework, language and research provided by the Bridges Library System |
| December 21, 2017 | Reviewed and approved with no changes |
| January 17, 2019 | Changed language under 'Items to Hold' in Section 'Access to Accounts and Patron Responsibility' to "Items placed on hold for library patrons are shelved for pick-up in the public areas of the Library." |
| January 17, 2019 | Changed language under Section 'Illegal activity prohibited and not protected' from "exercising its right to enforce its Rules of Behavior" to "exercising its right to enforce its Code of Conduct". |
| Date TBD | Inserted "Surveillance Camera Usage Procedures" and renamed policy from "Confidentiality and Privacy Policy" to "Confidentiality, Privacy, and Surveillance Policy" Policy updated for clarity and consistency throughout Updated references to other policies throughout Reviewed by Village legal counsel |

Appendix A

Mukwonago Community Library Procedures for Complying with Law Enforcement Request for Information

The Library staff will comply with law enforcement when supplied with a legal subpoena or search warrant.

Staff Procedures

- If anyone approaches MCL staff alleging to be a law enforcement official requesting information, staff will immediately contact the Library Director. In the Library Director's absence, the highest ranking person on duty is responsible for working with the requestor.
- The Library Director or their representative will ask to see official identification and will photocopy the ID.
- If the law enforcement officer does not have a court order compelling the production of records, the Library Director or their representative shall explain the state statute regarding confidentiality of library records under Wis. Stat. § 43.30. Staff will not disclose any information to law enforcement personnel without a court order.
- If the law enforcement official presents a subpoena, the Library Director or their representative will contact the Municipal Attorney for advice on how best to proceed. It is desirable for legal counsel to be present when the subpoena is executed. In the event that the Municipal Attorney is not available, the law offices of the Municipal Attorney will be contacted. In the event neither can be reached, the legal counsel for the American Library Association will be contacted.
- If the law enforcement official presents a search warrant, it is executable immediately. The Library Director or their representative will notify the Municipal Attorney and will attempt to have legal counsel present during the search to be sure that the search conforms to the terms of the warrant. If time does not allow for this, the search must be allowed to proceed. The Library Director or their representative will cooperate with the search to ensure that only the records identified in the warrant are produced and that no other Library users' records are viewed or scanned. Library staff should not interfere with the search and/or seizure of Library property.
- The Library Director or their representative will inventory any items removed from the Library property as a result of the search warrant.
- The Library will keep a record of all legal requests and requests made pursuant to Wisconsin's open records laws.
- The Library will keep a record of all costs incurred by any search and/or seizures, including time spent by Library staff assisting in the search or the inventorying of items.
- If the court order is a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) (USA Patriot Act amendment), the warrant also contains a "gag order" which means that no person or institution served with the warrant can disclose that the

warrant has been served or that records have been produced pursuant to the warrant. The Library and its staff must comply with this order. No information can be disclosed to any other party except legal counsel, including the Library user whose records are the subject of the search warrant. Failure to comply exposes individuals to criminal and civil penalties under the USA Patriot Act. The gag order does not change the Library's right to legal representation during the search. An attorney should be called immediately, although the FBI does not have to wait until the Library receives legal counsel before acting on the court order. If the Library's legal counsel cannot be reached, the Library Director or their designee, will call the ALA Office for Intellectual Freedom (OIF) at 800-545-2433 x4223 and state only "I need to speak with an attorney." The OIF will put the caller in touch with an attorney familiar with FISA. The staff member should not inform OIF staff of the existence of the warrant.

Emergency Disclosures of Communication

If the Library staff observes what could reasonably be construed as a threat of imminent danger to life, the staff member is to immediately alert local law enforcement through the 9-1-1 emergency response system and then immediately inform the highest ranking person on duty. The highest ranking person on duty should then immediately contact the Library Director. In such an instance, the Library reserves the right to disclose otherwise protected personally identifiable information to law enforcement as deemed reasonably necessary to prevent a threat of imminent danger from materializing.

Appendix B

Mukwonago Community Library Surveillance Camera Usage Procedures

The Library's surveillance cameras generate a record of activities in monitored areas of the Library building and property. In the event of illegal activities in these areas, it may be necessary to review the recordings.

This procedure details who may review the records and under what circumstances they may be viewed and/or released to law enforcement personnel.

Reviewing the Surveillance Camera Recordings

- In the event of suspicious or illegal activity being reported in areas covered by the surveillance cameras, a staff member may request that the Library Director or their designee review the recordings.
- The staff member should request that the Library Director or their designee run the footage of the incident while they and the staff member are present.
- Staff are not to review a security recording without the Library Director or their designee being present.

Reviewing the Surveillance Camera Recordings With the Authorities

- In the event of suspicious or illegal activity being observed on review of the recordings, law enforcement may be contacted.
- In the event that law enforcement officers wish to review the recordings, the same procedure used for initial review of the tape will be followed with a law enforcement officer present, i.e., a staff member should request that the Library Director or their designee run the recordings of the incident while they, the staff member, and the law enforcement officer are present.

Release of the Surveillance Camera Recordings

- Upon a request by the authorities to release the recordings in order to pursue further investigations, the Library Director may release a burned CD/DVD copy or MP4 digital copy to the requesting officer. The Library Director must obtain name, signature, badge number, date and time from the requesting officer and append it to the Library incident report along with the notation "Surveillance recording released to: [name]".

- Upon a request by those other than law enforcement, please refer to the Legal Protections and Exceptions section of the Confidentiality and Privacy Policy referring to Wis. Stat. § 43.30 and under what circumstances such Library records may be disclosed.

DRAFT

Mukwonago Community Library
Public Computers and Internet Access Policy
Approved _____ - Last reviewed March 21, 2019

The Mukwonago Community Library ("MCL") endeavors to develop collections, resources, and services that meet the cultural, informational, recreational, and educational needs of the community. ~~The Public Computers and Internet Access Policy relates to all types of computer and personal device usage on the premises of the Library or on the Library network. This policy provides rules and guidance for anyone who utilizes the Library's network, software, and hardware ("Users").~~ This includes but is not limited to: public computers, laptops and mobile devices using the library's wireless network, and laptops and mobile devices on other networks inside the library.

- I. Responsible Use
- II. Confidentiality and Security of Electronic Information
- III. Public Computer Use
- IV. Wireless (Wi-Fi) Use
- V. Printing and Copyright Disclaimer
- ~~IV-VI.~~ Library's Rights Reserved

I. Responsible Use

The Internet is a worldwide network of information for many people and cultures and is continually expanding. Users may find that some sites are controversial, offensive, imprecise, or unverified. The Mukwonago Community Library does not censor or otherwise filter access to Internet materials or protect users from information they may find offensive. Just as MCL does not endorse any of the various viewpoints in its physical and digital collections, the Library also does not endorse the accuracy of information or diverse viewpoints accessed through the Internet. Therefore, it is the responsibility of the user to choose and evaluate the content and accuracy of sources accessed via the Internet.

- A. ~~Users are asked to avoid sites which are not appropriate for all ages. It is left to each user to choose what is individually appropriate and for P~~parents and/or legal guardians ~~to assume~~ all responsibility for their ~~child's-children's~~ use of, and exposure to, the Internet through the Library's connection.
- B. Use of the Library's public computers and/or network for illegal or inappropriate purposes is strictly prohibited. Improper use will result in immediate termination of use and may result in termination or suspension of Library privileges. Examples of unacceptable uses include, but are not limited to: accessing files, passwords, or data belonging to others without their permission; damaging or altering hardware or software; unauthorized reproducing of copyrighted, licensed, or other protected

material; misrepresenting oneself as another user; accessing materials defined as “harmful to minors” by Wis. Stat. § 948.11; harassing or interfering with other users; and violating applicable local, state, federal, or international laws.

- C. MCL assumes no responsibility for damage, theft, corruption, or loss of a user’s equipment, software, data files, or other personal property brought into or used at the Library’s facilities.
- D. MCL prohibits damaging or modifying the Library’s computer equipment, hardware, software, or network whether in use at the Library, on loan, or offsite. Users will not deliberately propagate computer viruses and malware. Users will be charged to fix any damage they cause. The user who borrows any Library equipment agrees to reimburse the Library for damage including replacement if the equipment is lost or damaged while in the user’s possession.
- E. MCL does not take responsibility for any viruses, malware, or other attacks on or changes made to a user’s device’s settings ~~device.~~ and The Library cannot make any guarantee about the compatibility of your personal equipment with the Library’s network, printers, or other devices.

~~F. ——— Users on computer workstations should not interfere with or disrupt other users. The equipment must be shared and used in a manner that respects the rights of others. Library staff has full authority to manage the use of equipment to achieve those ends.~~

II. Confidentiality and Security of Electronic Information

Library users have the right to confidentiality and privacy. However, Internet users should be advised that because security is technologically difficult to achieve, electronic transactions and files could become public. The Internet is not a secure medium and third parties may be able to obtain information about users' activities. See the Library’s Confidentiality and Privacy Policy for more information. ~~in relation to patron privacy.~~

- A. Please use caution before providing any personal information over the Internet. Parents and/or legal guardians are responsible for the actions of their children under the age of eighteen (18).
- B. Users are responsible for ensuring that your personal devices have security protection against viruses and other malware. ~~You use~~ Users access the Library’s network at ~~your~~ their own risk.
- C. Users have the right to confidentiality and privacy. However, if the MCL staff has reason to believe that a user is not using the Library’s computers or network responsibly, they may internally review files, logs, and/or communications to maintain system integrity

and ensure adherence to policy. The Library, in accordance with the Library's Confidentiality and Privacy Policy, the USA Patriot Act, and corresponding Wis. Stat. § 43.30, the Library will release records to authorities only as required by the law.

III. Public Computer Use

MCL provides public computers for educational and informational purposes. These computers have unfiltered access to the Internet as well as basic productivity software. These computers are only available inside the Library during business hours.

A. Users must have their library card number and PIN to use the public library computers or to print from any computer.

a. Minors under the age of eight (8) must be accompanied by a guardian when using the Library's public computers to ensure proper use of the equipment.

b. Minors under the age of eighteen (18) must have their library card and PIN to use the public computers.

A-C. Adults age eighteen (18) and older may request a guest pass to use the public computers.

~~B. Each individual may use the public computers for up to 180 minutes per day. Public library computers are available on a first come, first served basis. Library staff may ask users to log out after three (3) hours of use to allow others to use the computer.~~

~~C. Users with fines exceeding \$10.00 or more will not have access to the library's computers until the fines are reduced to below \$10.00.~~

~~D. Users with expired library cards will not be able to use the library's public computers.~~

E-B. MCL's public computers contrast from personal computers in that they are used by many different people throughout the day. To guard against unintentional abuse, our computers contain software that limits some functionality as well as clears all recent changes and data upon logging off.

IV. Wireless (Wi-Fi) Use

MCL offer free wireless access (Wi-Fi) to the internet via it's network both inside the building and on the Library property to all users.

A. All policies, rules, and laws apply to wi-fi use on personal devices.

B. Users are responsible for connecting their personal device to wi-fi. Library staff are only able to provide basic support.

C. Wi-fi access and bandwidth are not guaranteed. ~~Wireless users may experience fluctuating bandwidth on the library's public wireless network, depending upon how~~

~~many people are using the wireless connection and what they are downloading. Streaming video and some online games consume large amounts of bandwidth. Some areas of the library building may not be close enough to a wireless router and may have lower signal strength and slower speeds. There is no guarantee that you will have wireless access at the library at any specific time or with any specific equipment. Service disruptions may occur, and some equipment may not be compatible.~~

V. Printing and Copyright Disclaimer

MCL provides access to printing, scanning, and faxing as a convenience to users.

A. Some services may require a fee to use. The Library Board sets the fees and they are posted in the Library. Users are responsible for all costs associated with using these services.

B. MCL is not responsible for errors in printing, faxing, or scanning.

C. Printing is available on the library's public computers and via a mobile printing option accessibly via a user's device. MCL does not guarantee compatibility between a user's device and this software.

D. Copyright law prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of the Fair Use Act. Any responsibility for consequences arising from the copyright infringement or any other illegal use lies with the user.

VI. Library's Rights Reserved

Violation of this policy may result in loss of Internet and/or library privileges. Illegal uses of public access Internet computers may also be subject to prosecution by local, state and/or federal authorities. The Library reserves the right to:

A. Terminate a user's session, without notice.

B. To limit the amount of computer time at any one sitting.

C. To erase any and all users' files stored on library equipment, without notice.

D. To deny or limit access to computer operating systems.

E. To deny or revoke Internet or library privileges for a specified amount of time.

Revision History

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|-----------------------|---|
| May 18, 2017 | Policy Created. Replaces Internet Access Policy. |
| March 1, 2018 | Reviewed by Policy Committee. No changes found necessary. |
| May 15, 2018 | Approved by Library Board. |
| March 21, 2019 | Removed Section IV, Paragraph E from the policy which stated "Children less than 18 years of age must have written parental / guardian permission on file prior to computer usage". |