

HENNEPIN COUNTY
LIBRARY BOARD

THE PUBLIC IS WELCOME AT ALL LIBRARY BOARD MEETINGS

October 12, 2022, 5:00-7:00 p.m.

Virtual Meeting

Library Board Agenda

POLICY COMMITTEE

1. WELCOME AND CALL TO ORDER



2. APPROVAL OF AGENDA*



3. APPROVAL OF AUGUST 3, 2022, MEETING SUMMARY*

4. PATRON DATA PRIVACY POLICY

5. INTERNET PUBLIC USE POLICY



6. ADJOURN*



**Denotes board action item.*

Library Board

Adja Kaba, President | Jane Brissett, Vice President | Lynn Stetler, Secretary | Tim Dolan | Erin Vrieze Daniels | Michael Hogan | Gordy Aune, Jr | Briana Eicheldinger | Amal Karim | Keegan Xavi

Interim Library Director
Dan Rogan

HENNEPIN COUNTY

LIBRARY BOARD

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Policy Committee

Meeting Summary

The Library Board Policy Committee met Wednesday, August 3, 2022, via Microsoft Teams.

Attendees

Present: President Adja Kaba, Vice President Jane Brissett, Gordy Aune Jr., Mike Hogan, Keegan Xavi, and Lynn Stetler

Hennepin County Staff: J.R. Genett, Samantha Jekot-Graham, Dan Rogan, Amy McNally, and Katie Zeuli

Welcome and Call to Order

Chair Jane Brissett called the meeting to order at 5:00 p.m. and welcomed attendees.

Approval of Agenda

Gordy Aune, Jr. made a motion to approve the agenda; seconded by Mike Hogan. Motion passed.

Approval of Meeting Summary

No changes were made to the May 11, 2022, meeting summary and the summary was approved.

Motion: Mike Hogan

Second: Gordy Aune Jr.

Approved.

Fee Policy

The committee discussed and made changes to the Fee Policy to make the language easier for patrons to understand. The committee voted to bring the policy to the full Library Board meeting for a final vote.

Motion: Gordy Aune, Jr.

Second: Mike Hogan

Approved.

Communication Policy

The committee discussed the Communication Policy brought by library administration and made minor edits., The committee voted to bring the edited policy to the full library board for a final vote.

Motion: Gordy Aune, Jr.

Second: Keegan Xavi

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Standardization of Policy History

The committee discussed how to best record the review and adoption of policies. The committee voted on standardized language which includes listing the year of a policy's next review and identifying the specific date when a policy was adopted or last reviewed.

Motion: Mike Hogan

Second: Gordy Aune, Jr.

ADJOURN

Gordy Aune, Jr. motioned to adjourn. Mike Hogan Second. Motion passed.

Jane Brissett adjourned the meeting at 6:28 p.m.

Patron Data Privacy Policy

Hennepin County Library Board Policy

Purpose

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

Principles

- 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.
- We expect the Library to employ responsible and transparent data practices, stay abreast of developments in the field, and leverage its role as a national leader of library service to maintain patron data privacy standards in this rapidly evolving world.

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 Hennepin County 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 downloadables and other resources via third party vendors.

Public Data

In the state of Minnesota, all government data including patron data is public unless it has been classified otherwise by statute or federal law.

Private Patron Data

The following patron data collected and maintained by Hennepin County Library (or those working under contract for the library) is private and may not be disclosed for other than library purposes.

1. Data that links a patron's name with materials requested or borrowed
2. Data that links a patron's name with a specific subject about which the patron has requested
3. All data (other than the name of the applicant) provided as a part of a library card application.

Circumstances when private data may be released:

1. Patrons may access the data that is about themselves.
2. A 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, withhold data from parents or guardians if the library determines that withholding the data would be in the best interest of the minor. Minnesota Administrative Rules 1205.0500 outlines the access procedures for a parent or guardian.
4. The Library may release private data pursuant to a court order.
5. The Library may be compelled to disclose private data pursuant to the USA PATRIOT Act.

(See also Minnesota Statutes 13.02, 13.05, 13.40 and USA PATRIOT Act section 215)

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.

The Library informs patrons of the necessity, purpose, and intended use of requested data. It maintains data retention schedules, and conducts regular data privacy audits.

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 monitor what patrons do while using the library's computers or other devices. It does not scrutinize sites patrons visit, documents they produce, transactions they make, or emails they create or view.

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. The USA PATRIOT Act requires that this data be retained for a reasonable period of time. It is currently retained for two months.

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. While vendors who are under contract with the Library are subject to the same federal and state data privacy laws as the Library, their compliance is subject to the ethics and integrity of those organizations. The Library actively works with third party vendors to support patron data privacy.

Handling and Disclosing Patron Data

Library staff and volunteers handle patron data in accordance with library administrative policy. Patron data that is public may be requested under the [Minnesota Data Practices Act](#). The Library follows [county procedures](#) and responds to written data requests in a timely way.

Patron data that is private will not be disclosed except under the circumstances detailed under the "private patron data" section (above). The process for responding to requests for private patron data is detailed in library administrative policy.

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

Roles and Responsibilities

The Hennepin County Board of Commissioners appoints a Data Governance Officer who is responsible for developing, articulating, implementing, and managing the county's vision for organizational data management and data compliance practices in accordance with federal laws and state statutes. Each county department appoints a data steward who works with the Data Governance Officer and is accountable for the quality and use of the department's data.

The Library implements the Library Board policy and establishes library administrative practices and procedures that are aligned with county-wide policies.

Library staff and volunteers follow the [Code of Ethics of the American Library Association](#) and "protect each library user's right to privacy and confidentiality with respect to information sought or received, resources consulted, borrowed, acquired, or transmitted."

Library staff take annual data security training and play an active role educating and informing patrons about patron data privacy concerns especially as it relates to the digital environment.

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

This policy is subject to all federal, state, and local laws and policies including but not limited to:

- American Library Association. [Code of Ethics](#)
- Hennepin County. Data Practices Policy
- Hennepin County. [Data Practices Requests](#)
- Hennepin County. [Privacy and Security Policy](#)
- Hennepin County Library Administrative Policy. Handling and Disclosing Patron Data
- Hennepin County Library Board. [Library Bill of Rights](#)
- 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](#)
- United States. [USA PATRIOT Act](#)

Process

This policy is reviewed by the Library Director (or designee) and the Library's legal counsel every four years, or more frequently as needed. Recommendations are forwarded to a Library Board committee. The committee reviews and revises as necessary, endorses and advances to the full Library Board for approval.

Policy History

Next Review Date: 2022

Last Reviewed/Revised Date: 2018

Previous Policy Dated: 11/30/2011

Internet Public Use Policy

Hennepin County Library Board Policy

Purpose

The purpose of this policy is to affirm the library's role in providing public access to the Internet and to clarify patron responsibilities associated with Internet use in the library.

Internet use in the library means using the library's network to access the Internet either on library workstations or through a wireless connection.

Principles

Public access to the Internet is integral to Hennepin County Library's mission to nourish minds, transform lives, and build community together.

Public access to the Internet allows patrons to:

- Access online resources and services
- Communicate and engage with others
- Create content
- Complete transactions with public, nonprofit, and private entities

Hennepin County Library provides public access to the Internet in accordance with state and federal laws and the policies of Hennepin County and the Hennepin County Library Board. Collection, retention, handing, and disclosing of patron data is covered under the [Patron Data Privacy Policy](#).

Scope of Access

Public access to the Internet is available at all library locations via library workstations and wireless access. Software is used to filter out proxy sites, and sites that pose a security risk to the network. It is also used to filter out obscene materials as defined by Minnesota Statute 617.241. Filtering is imperfect and may restrict access to legitimate research sites. Also, filtering does not guarantee that all proxy sites, obscene materials, and sites that pose security risks will be blocked. Patrons can request that a website be reviewed to be blocked or unblocked by first speaking to a staff person.

Library workstations support a variety of software programs that expand a workstation's capabilities and increase a patron's ability to utilize the Internet. The library may establish time limitations to ensure fair and equitable access to library workstations.

The Hennepin County Library Board, Hennepin County, and its employees assume no responsibility for damages of any type arising from patron use of the Internet through the library's network.

Patron Responsibilities

Patrons acknowledge that the content on the Internet is not managed or governed by any entity and therefore they may encounter materials that are inaccurate or that they consider offensive.

Patrons recognize that their use of the Internet is conducted in a public place shared by many. Patrons are subject to the [Patron Use of Library Spaces Policy](#).

Patrons acknowledge that the library cannot protect the privacy of data that is transmitted to third parties via the Internet.

Patrons shall comply with all federal, state, and local laws, including but not limited to:

- Library patrons may not use the library's Internet access to view, print, distribute, display, send or receive images, or graphics of material that violates laws relating to child pornography
- Library patrons may not knowingly exhibit or display any material that is harmful to minors in its content or material that is obscene in any place of public accommodation where minors are or may be present, and where minors are able to view the material
- Library patrons must adhere to all copyright laws and may not copy or distribute materials (e.g. with the use of file sharing software) without the permission of the owner. Patrons who do so may be subject to criminal and civil liability.

Failure to follow this policy may result in eviction from the library, and may include a trespass order or arrest. Violation of state and federal laws will be referred to the proper authorities for legal action.

Parent and Guardian Responsibility

Parents and guardians are responsible for monitoring Internet access for their children who are minors. Any additional restrictions placed on a child's access to the Internet on the library's network is the responsibility of the parent or legal guardian.

Associated Policies and Laws

- Hennepin County Library Board. [Patron Use of Library Spaces](#)
- Hennepin County Library Board. [Freedom to Read](#)
- Hennepin County Library Board. [Freedom to View](#)
- Hennepin County Library Board. [Library Bill of Rights](#)
- Hennepin County Library Board. [Patron Data Privacy](#)
- Minnesota Statute 134.50. [Internet Access; Libraries](#)
- Minnesota Statute 617.293. [Harmful materials](#)
- United States. [Children's Internet Protection Act](#)
- Minnesota Statute 617.241. [Obscene Materials and Performances; Distribution and Exhibition Prohibited; Penalty.](#)

Process

This policy is reviewed by the Library Director (or designee), the library's legal counsel and the Library Board Policy Committee at least every four years. The Committee reviews and revises as necessary, endorses and advances to the full Library Board for approval.

Policy History

Next Review Date: 3/2025

Date Approved: 5/2021

Internet Public Use Agreement

Please read and agree to the statements below to use one of Hennepin County Library's public computers and access the Internet through a wireless connection.

Definition

Internet use in the library means using the library's network to access the Internet either on library workstations or through a wireless connection.

Library Policies

Hennepin County Library provides public access to the Internet in accordance with state and federal laws and the policies of Hennepin County and the Hennepin County Library Board, including its Internet Public Use Policy.[1] Collection, retention, handing and disclosing of patron data is covered under the Patron Data Privacy Policy.[2]

Access

Filtering software is used to filter out proxy sites, and sites that pose a security risk to the network. It is also used to filter out obscene materials as defined by Minnesota Statute 617.241.

The library may establish time limitations to ensure fair and equitable access to library workstations.

External Storage Devices on Library Computers

WARNING: Antivirus/security software runs on library computers and may delete files on an external storage device if it detects a security threat. Patrons agree that Hennepin County Library is not responsible for files deleted when an external storage device is inserted into library computers.

No Encryption

Public library computers and Wi-Fi are not encrypted. Hennepin County will not be held liable for any potential loss of data.

Roles and Responsibilities

Patron Responsibilities

Patrons acknowledge that the content on the Internet is not managed or governed by any entity and therefore they may encounter materials that are inaccurate or that they consider offensive.

Patrons recognize that their use of the Internet is conducted in a public place shared by many. Patrons are subject to the Patron Use of Library Spaces Policy (you may find it at <http://www.hclib.org/about/policies/patron-use-of-library-spaces> Please ask staff for a copy).

Patrons acknowledge that the library cannot protect the privacy of data that is transmitted to third parties via the Internet.

Patrons shall comply with all federal, state, and local laws including but not limited to:

- Library patrons may not use the library's Internet access to view, print, distribute, display, send or receive images, or graphics of material that violates laws relating to child pornography
- Library patrons may not knowingly exhibit or display any material which is harmful to minors in its content or material that is obscene in any place of public accommodation where minors are or may be present and where minors are able to view the material
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Hennepin County and Hennepin County Library Board

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