

WELCOME!
New Public Library Director
Boot Camp
2019

Wednesday

This evening, we will:

- Have some snacks and learn what to expect
- Review the principles of public libraries and directorship
- Discuss Open Government
- Get some rest, in preparation for the next two days!

Food for Thought

“It is not the job of the community to make a great library. It’s the job of the library to make a great community.”

~James LaRue, former director of the ALA Office for Intellectual Freedom; former public library administrator, academic librarian; author, newspaper columnist, blogger, speaker

Public Libraries & Directorship

Presenters:

Michelle Dennis, Head of Public Services, Hedberg Public Library; Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives:

- Understand the principles of public libraries & directorship
- Discuss the concepts of privacy and confidentiality
- Learn about Open Government requirements
 - Open Meetings/Closed Sessions
 - Public Records/Records Retention

ALA: Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. **Materials should not be excluded** because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting **all points of view** on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should **challenge censorship** in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with **resisting abridgment of free expression and free access to ideas**.
- V. A person's **right to use a library should not be denied or abridged** because of origin, age, background, or views.
- VI. Libraries which **make exhibit spaces and meeting rooms available** to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- VII. All people, regardless of origin, age, background, or views, possess a **right to privacy and confidentiality** in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

Privacy & Confidentiality

Privacy: The right to open inquiry without examination or scrutiny.

Confidentiality: The obligation to keep personally identifiable information (PII) private.

Intellectual Freedom: The right of every individual to both seek and receive information from all points of view without restriction. It provides free access to all expressions of ideas through which any and all sides of a question, cause, or movement can be explored.

Wis. Stat. sec. 19.81(2): Open Meetings Law

- Wisconsin's Open Meetings Law (1976) requires openness in government
- “...all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law.”
- Meetings must be properly noticed
- AG office provides an [Open Meetings Law Compliance Guide \(2019\)](#)

s. 19.81(2): Open Meetings Law

Closed Sessions

- “...all meetings...shall be open to all citizens at all times **unless otherwise expressly provided by law.**”
- Pages 24-30 of the Open Meetings Law Compliance Guide detail the permissibility, requirements of, and procedure for convening in closed session

Wis. Stat. secs.19.31-39: Public Records

- Public libraries and library boards are subject to public records law; emails and other communications may also be subject
- **Record:** Any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority [s. 19.32(2)]
- AG office provides a [Public Records Law Compliance Guide \(2019\)](#)
- Your board may adopt the [Records Retention Schedule](#)

Back to Privacy & Confidentiality

Wis. Stat. sec. 43.30: Records of any library...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 their scope of duties in the administration of the library. The only exceptions are:

- Persons authorized by the individual
- Custodial parents or guardians of children under the age of 16
- Other libraries for the purpose of borrowing materials for an individual
- Law enforcement officer who is investigating criminal conduct alleged to have occurred at a library (the library director may also disclose surveillance recordings at his/her discretion)
- Collection agency or law enforcement for the purpose of recovering unreturned materials

Back to Privacy & Confidentiality

From these last slides, we know that:

- We are a conduit for intellectual freedom
- We are government entities
- We are records custodians and are bound by law to supply public records upon request and without delay
- We are public library workers and bound by law to protect the privacy of library users...

Back to Privacy & Confidentiality

So what do we need to protect?

- Library records indicating the identity of any individual who borrows or uses the library's documents or other materials, resources, or services.

Back to Privacy & Confidentiality

Key Takeaways:

- Libraries are public spaces
- We protect personally identifiable *information*, not individuals
- Libraries are not sanctuaries of private and public anonymity that will be defended by library staff

Back to Privacy & Confidentiality

Real Life Considerations:

- Law enforcement visits
 - When someone was there last v. if someone is there now
- Phone calls from parents
- Surveillance
 - Footage from last night v. footage of someone vandalizing the library entryway
- First Amendment Audits
 - Can they film or can't they?