ELKHART **PUBLIC LIBRARY**
POLICY

Data Privacy and
Protection Policy

Adopted by the Library Board of Trustees
Effective December 19. 2023

A. PURPOSE

This Policy establishes expectations regarding data shared with and entrusted to Elkhart Public Library. This Policy serves as a companion to state and federal laws on user and data privacy, as well as statutes concerning the accessibility of public records.

B. DEFINITION

1. User – Generally, any person, business, group or organization engaging with Elkhart Public Library. A User voluntarily offers identifying personal information by checking out materials, using web-based applications, attending events and programs, reserving meeting rooms, or accessing other services provided by the library.

2. Library Data – Information maintained by Elkhart Public Library for statutory purposes and routine operations. Library Data includes, but is not limited to:

   a. Personal information, such as information the Elkhart Public Library has collected or otherwise maintains or has in its possession that identifies or can be used to identify or authenticate an individual, provided by Users making an informed choice about accessing library services;
   b. Reports generated by library staff to better understand operations, such as for the purposes of collection usage and development, library promotions, and required government reporting;
   c. Community survey results; and
   d. Any and all other data involving Users, trends and historical information to be used in assessing the effectiveness of library operations.

   In order to provide services, comply with the law, and support our operations, the Elkhart Public Library collects the above data through various means, including when Users:

   a. Provide information to the Elkhart Public Library;
   b. Visit our website and online services;
   c. Visit our library or attend in person events;
   d. Sign up for library communications; and/or
   e. Volunteer with the Library or donate gifts.

3. Security Incident - Any act or omission that compromises the security, confidentiality, or integrity of Library Data, and the physical, technical, administrative, or organizational safeguards the Elkhart Public Library has put in place to protect Library Data.

4. Data Security – The process of protecting collected and stored data to prevent its unauthorized acquisition, retrieval, use and retransmission.

5. Computer Services Department – The internal unit of the library that oversees the Public Computer Center at the Downtown location and manages the development, maintenance, and use of computer hardware, software, systems, and networks by both staff and patrons at all EPL locations.

C. POLICY

1. The Computer Services Department will be responsible for overseeing all data security practices.

   a. The Computer Network Administrator will manage access to Library Data, based on information that is required and necessary for specific functions.
   b. The Department Head of Computer Services and/or the Computer Network Administrator will approve all connections and means for acquiring data when requested by providers of approved consulting services and/or services supporting online products and library marketing.

2. All employees of Elkhart Public Library share responsibility for ensuring the privacy and security of Library Data.

   a. Unless specifically stated in state and/or federal law, all data maintained by Elkhart Public Library on individual Users shall be considered confidential and unavailable for release. This includes, but is not limited to, any identifying information regarding an individual's use of any library services.
   b. Library Data that involves personal information will be shared in accordance with this Policy, with the User's consent, to the User who voluntarily provided the data in question, or as allowed by applicable data protection law and under policies governing library card registrations, circulation of materials, and related matters.
   c. Whether by manual or automated means, Users may receive marketing communications regarding services and events of interest after providing information to the Elkhart Public Library. All communications will include the ability for individual Users to opt out of receiving additional messages.
   d. Library staff may share and use aggregated data to assess the effectiveness of services and promote greater library use through marketing.

3. While presentations of aggregated findings may be made public, information identifying a specific User may not occur without the individual's expressed written consent.

   a. I.C. 5-14-3, the Indiana law governing the disclosure of public records, will determine what, if any, data may be released upon request.
   b. Library staff will send all formal public records requests to the Chief Marketing Officer for response and, when necessary, fulfillment.

4. The Executive Director and/or Senior Building Operations Manager may coordinate the release of information with local law enforcement on incidental data, such as a library security video file capturing suspected illegal activity on a public right-of-way adjoining library property.

5. Upon an employee or User becoming aware of a Data Security Incident, they must immediately notify the Department Head of Computer Services and the Computer Network Administrator.

Upon confirmation of a Data Security Incident, the Elkhart Public Library will promptly take reasonable steps to contain and investigate any Data Security Incident.

6. Library Data will be retained for as long as reasonably necessary to complete the purpose for which it was collected or according to state records retention requirements.

7. Elkhart Public Library will not sell, as defined by applicable data protection laws, current or historical data under any circumstances.

8. Providers of approved consulting services and/or services supporting online products and library marketing will abide by the Elkhart Public Library Data Privacy and Protection Policy. A copy of this Policy will be attached as an addendum to all relevant contractual agreements or memoranda of understanding.

9. This Policy only applies to Library Data and services provided by the Elkhart Public Library. Any third party services that may be displayed on the Elkhart Public Library website or other services are governed by their own data protection and privacy policies.

D. ADOPTION

1. Adopted by the Elkhart Public Library Board of Trustees: December 19, 2023.
2. Supersedes Confidentiality of Patron Information, effective dates June 17, 2014, and May 17, 2000.