

Data Privacy, The Library, and You

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Data Privacy Best Practices Training for Libraries
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Week 1



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Today's Schedule

1:00 – 1:20 Welcome and course housekeeping
1:20 – 1:45 Training
1:45 – 1:50 Break
1:50 – 2:25 Training
2:25 – 2:30 Wrap up

Series Housekeeping - Outline

Week One (this week!)

- Privacy & library data primer
- Current/evergreen privacy issues

Week Three

- Privacy risk assessment
- Vendor relations
- Patrons and privacy

Week Two

- Developing library privacy training
- Supporting staff outside training

Week Four

- Creating a culture of privacy
- Keeping up with updates
- Action planning!

Series Housekeeping – Expectations

Online Sessions

- 90 minutes/week for 4 weeks
- Lecture
- Small and large group discussions
- Exercises

Optional Basecamp Work ☺

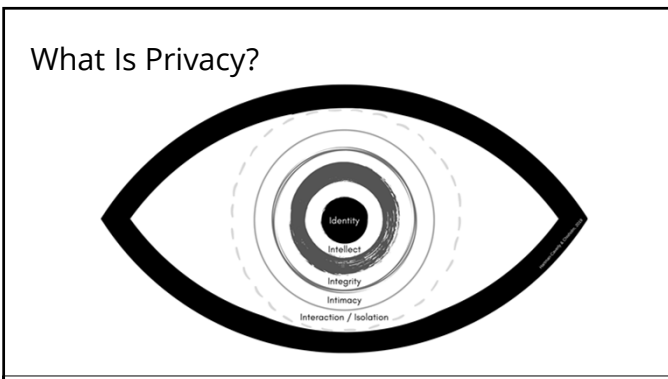
- 30 to 60 minutes/week
- Readings
- Discussions
- Exercises

Series Housekeeping – Guidelines

- When you disagree, challenge or criticize the idea, not the person.
- Speak from your own perspective.
- Be mindful of the time.
- One speaker at a time.
- What is said in this space, stays in this space unless you have permission.

Introduce Yourself... on Basecamp!

1. Starting From The Top – Privacy Fundamentals



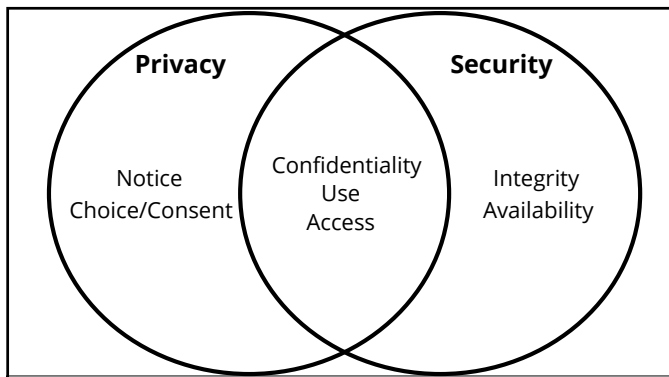
General Legal and Standards Overview

- "The Right to Privacy" (1890)
 - "the right to be let alone"
- US Legal Regulations & Caselaw
 - Fourth Amendment
 - Katz v. United States (1967)
 - PATRIOT Act, Freedom Act
- Privacy frameworks
 - FTC Fair Information Practice (FIPs) and Fair Information Practice Principles (FIPPs)
 - OECD Privacy Guidelines



Privacy and Libraries

- ALA Code of Ethics excerpt:
 - "3. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted."
- ALA Library Bill of Rights, Article 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."



What is Data?

Definition of *data*

- 1** : factual information (such as measurements or statistics) used as a basis for reasoning, discussion, or calculation
// the data is plentiful and easily available
— H. A. Gleason, Jr.
- // comprehensive data on economic growth have been published*
— N. H. Jacoby
- 2** : information in digital form that can be transmitted or processed
- 3** : information output by a sensing device or organ that includes both useful and irrelevant or redundant information and must be processed to be meaningful

We create data.

We are data.

—

Discussion – Data,
Data, Everywhere...

2. Library Patron Data Privacy Fundamentals

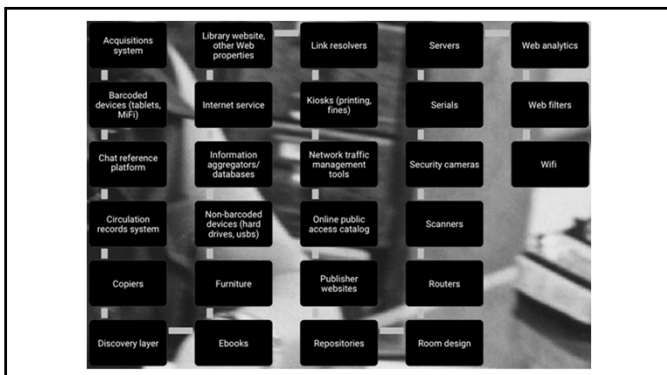
Personally Identifiable Information [PII] In Libraries

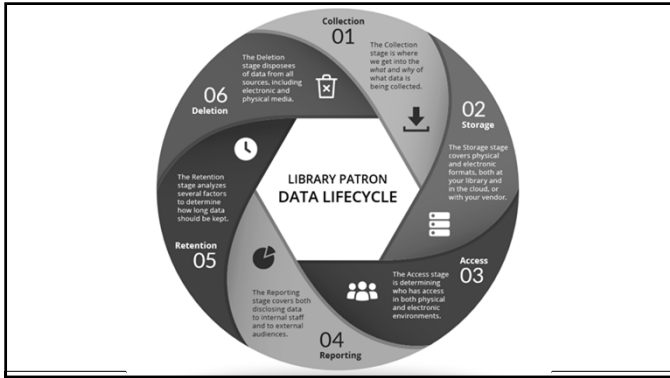
PII 1 - Data about a patron

- Name
- Physical/email address
- Phone number
- Date of birth
- Patron record number
- Library barcode

PII 2 - Activity that can be tied back to a patron

- Search & circulation histories
- Computer/wifi sessions
- Reference questions
- Electronic resource access
- IP Address
- Program attendance





What Affects Library Data Privacy?

- Legal regulations
 - Federal
 - State
 - Local
- Industry standards
 - FIPPs
 - OECD Privacy Principles
 - NIST/ISO
- Professional standards/ethics
 - ALA Bill of Rights and Code of Ethics
 - IFLA
 - State, consortia, regional orgs
- Third parties/vendors
- Technology
- Organizational culture, resources, and priorities

3. Current/Evergreen Patron Data Privacy Topics

Shifts to Virtual-First Services and Work

Working from Home

- Device security
- Network security
- Data storage and access
- Increased reliance on third party systems and applications to work with patron data

Virtual Patron Services/Programs

- Web conferencing platforms
- Can we guarantee the same level of privacy as the physical equivalent of the program/service?
- Privacy and security
 - Recordings
 - Data exhaust
 - Zoombombings

Discussion – Your experiences with shifting to virtual

Library Surveillance of Patrons

Library Security

- Security incident databases
- Shift logs
- Security cameras
- Body cameras on security staff/police

Vendor Tracking

- Web analytics
- Data from library vs data from patron
- Behavioral tracking
 - Cross-site
 - Social media
- Marketing and data disclosure/reselling

Library Data Analytics and Marketing

- Patron profile of use of library
- Use of external data sets to create segments
- Primary use of data vs secondary use
- Patron expectations

Patron Data Requests/Access

Law Enforcement

- Legal regulations around access
- Policy and procedure
- Court-issued order vs administrative orders
- “Being a helpful citizen” or other factors around interacting with LEOs

Other Patrons

- Parents, guardians, and custodians
- Authorized users
- Social workers/Case workers

Library Workers, Volunteers, Affiliates

- Who has access to what data
- When it is appropriate to access, use, and disclose patron data
- **Insider threat happens in libraries, too**

Exercise – What keeps you up at night?

Specific Privacy Risks for Patron Groups

- Minors
- Seniors
- Insecurely housed
- Incarcerated persons
- Researchers/journalists
- Students
- LGBTQIA+
- BIPOC
- Patrons with disabilities
- Immigrants and undocumented persons
- Patrons currently in or escaping abusive situations or harassment

Questions and Open Discussion

Wrap Up



Next Week

Week Two - Data Privacy Training at Your Library

- April 14th, 1 pm – 2:30 pm
- Register at <https://www.plpinfo.org/event/data-privacy-training-at-your-library-2/>

Week One Activities/Reading

- Readings – Toolkit Sections 1, 2 (up to page 13), 6
- Exercises on Basecamp

<p>Thank you</p> <p>: -)</p> 	<p>Becky Yoose Library Data Privacy Consultant LDH Consulting Services</p> <p>Email: becky@ldhconsultingservices.com</p> <p> This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International License.</p>
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Resources and Further Reading

- "California Government Code § 6254. Records Exempt from Disclosure Requirements." https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6254.&lawCode=GOV.
- "California Government Code § 6267. Registration and Circulation Records of Library Supported by Public Funds." https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6267.&lawCode=GOV.
- Chisholm, Alexandria Edyn, and Sarah Hartman-Caverly. 2020. "Privacy Literacy Instruction Practices in Academic Libraries." <https://scholarsphere.psu.edu/resources/6e465f98-fc36-478e-bba5-3f29c52a7632>.
- "Data Privacy Project." <https://dataprivacyproject.org/>.

Resources and Further Reading (con't)

- "Fourth Amendment." n.d. Legal Information Institute. Accessed February 23, 2021. https://www.law.cornell.edu/wex/fourth_amendment.
- Frické, Martin. 2009. "The Knowledge Pyramid: A Critique of the DIKW Hierarchy." *Journal of Information Science* 35 (2): 131-42. <https://doi.org/10.1177/0165551508094050>.
- Tokson, Matthew. 2016. "Knowledge and Fourth Amendment Privacy." *NORTHWESTERN UNIVERSITY LAW REVIEW*, 66.
- Weinberger, David. 2010. "The Problem with the Data-Information-Knowledge-Wisdom Hierarchy." *Harvard Business Review*, February 2, 2010. <https://hbr.org/2010/02/data-is-to-info-as-info-is-not>.

Additional bibliographies and resources can be found in the Toolkit and training resources at the <https://www.plpinfo.org/dataprivacytoolkit/>.
