

# **Access to Public Records Policy**

Fond du Lac Public Library

Board approved: May 2004

Previous policy dated:

It is the policy of the Board of Directors of the Fond du Lac Public Library to comply with all State Statutes and local ordinances currently in force regarding access to public records. To that end, the public should be aware of the following:

1. The Director of the Fond du Lac Public Library is hereby designated as the legal custodian of the public records and property of the Fond du Lac Public Library.
2. The Assistant Director, the Support Services Coordinator, and the Information Services Coordinator are designated as deputy custodians of the public records and property of the Fond du Lac Public Library.
3. Those wishing to view public records are not required to give a reason for making a request to examine records. No identification will be required to view records except in limited instances as proscribed by Statute.
4. Those wishing to view original public records may do so only under the supervision of library staff and only when the form of the records allows this.
5. Photocopies of documents, or print outs of information stored on computer, will be made upon request at a cost of 25 cents per sheet. The actual cost incurred from duplicating video tapes, audio tapes, computer media, etc., will be charged
6. Should the cost of gathering documents to comply with a specific request exceed \$50, this cost shall be paid by the requester.
7. The estimated charges for photocopies or for gathering documents are payable in advance. Costs exceeding the estimate are payable upon delivery of the documents. If the actual cost is less than the estimate charged, the difference shall be refunded.

## Access to Customer Records:

Information regarding individual borrowers or identifying any person using library services is considered confidential according to Chapter 43 of the State Statutes.

1. Customers may request any information regarding their own use of the library as long as they can provide positive identification such as a driver's license or other picture identification along with their library card, or like identification.

### Parental Access to the Customer Records of Minors

- 1) *Custodial* parents may request any and all library records relating to the use of the library by children under the age of 16. Customer records of minors age 16 and over will be handled the same as adult records and are available only to the customer, not to parents.
- 2) It is the responsibility of the library under Chapter 43 of the Wisconsin Statute to ensure that anyone asking for the customer records of a minor under the age of 16 is actually the custodial parent.
  - A) A “custodial parent” is defined in this law as any parent other than a parent who has been denied periods of physical placement with a child under s. 767.24 (4).
  - B) The essential issues for the library to determine are: (1) whether the person requesting the records is who they say they are, (2) whether they are indeed a parent or guardian of the particular child, and (3) whether they have been denied periods of physical placement with the child under s. 767.24
  - C) In order to make this determination, the person requesting records of their custodial child must provide positive identification for themselves such as a driver’s license or other photo ID. Proof that they reside at the same address as the child in question will be considered reasonable proof of custody.
  - D) A parent who has joint custody of a child may or may not have the same address as the child. The custodian of public records for the library, or his/her deputy, may accept other documents or evidence that might reasonably prove that a requester is a custodial parent of a child in question. Such evidence may include, but not be limited to, possession of the birth certificate of the child or a copy of court documents stating that the requester has physical custody of a child.
- 3) A person who has been denied access to records of a minor child may appeal this decision to the Library Director and/or the Library Board.
- 4) The library will remove identifying information such as the address, phone number, age, etc., of the child in question before complying with a request for information. A custodial parent will already have this information.
- 5) Library Staff will respond to requests for information from custodial parents as soon as practicable and without delay.

The following shall be posted in a public place within the library:

## **Notice to the Public**

### **Access to Public Records**

The Fond du Lac Public Library Board has designated the Public Library Director as the legal custodian of the public records and property of the Fond du Lac Public Library.

The Custodian or his/her Deputy is the only person authorized to release information concerning the public records of the Fond du Lac Public Library.

The public may obtain information and access to records, make requests for records, or obtain copies of records in the custody of the Fond du Lac Public Library Board at the following place and times:

Place:       Fond du Lac Public Library  
              Business Office  
              32 Sheboygan Street  
              Fond du Lac, Wisconsin 54935

Phone:       (920) 929-7080

Times:       8:00 a.m. -- 5:00 p.m.  
              Monday through Friday  
              (Except legal holidays)