Library Privacy and Vendor Management II: Exploring Practical Strategies and Best Practices

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Workshop Housekeeping – Guidelines

• All responses and questions are valid.
• Assume good intent.
• When you disagree, challenge or criticize the idea, not the person.

• Be mindful of the time.
• One speaker at a time.
• Speak from your own perspective.
• Help protect others’ privacy by observing the Chatham House Rule.
Workshop Housekeeping - Logistics

IANAL; Consult legal staff for legal advice

Exercises and Discussions - what to expect

Toolkit tie-in

Privacy measures are only as strong as the least-knowledgeable person working with patron data
Section One: Refresher on Vendors and Libraries
Library Patron Data Lifecycle

Collection

Deletion

Retention

Storage

Access

Reporting
Vendor Relationship Lifecycle

- Selection
- Onboarding
- Separation
- Maintaining
Section Two:
Selection Best Practices and Strategies
## Selection - Where to start?

<table>
<thead>
<tr>
<th>RFI - Request for Information</th>
<th>RFP - Request for Proposals</th>
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<tr>
<td>Used to gather information about services or products</td>
<td>Used to gather bids from potential vendors</td>
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**Potential uses:**
- Obtain privacy policies
- Gather information about *general* privacy features
- Outline privacy reqs
- Gather information about *specific* privacy features
Exercise –
RFP Show & Tell
Section Three:
Onboarding – ALL the Contracts
Contracts and Legal Regulations

- California Gov Code § 6267
- California Consumer Privacy Act of 2018 (CCPA)
- California Civil Code Section 1798.82
- Family Educational Rights and Privacy Act (FERPA)
- Children’s Online Privacy Protection Act (COPPA)
- Local Regulations, including record retention schedules and public disclosure exemptions and regulations
- Parent institution policies or contract boilerplate
Onboarding – Privacy & Contract Red Flags

- “Reasonable” and vague terms
- Lack of definitions for terms
- Indemnity/liability clauses
- Termination details – data exit
- Lack of information about responses to law enforcement or government data requests
- Legal jurisdiction!
- Lack of transparency
- Data ownership
- Data reselling or disclosure to other third parties
- Monitoring patron use (web analytics)
- Using “Aggregated”, “Anonymized”, “De-identified” without defining methods
Exercise – Contract Flags
Onboarding - Contract Addendum and NDA

**Contract Addendum**
- Legal boilerplate for standard privacy and security contract language
- Can be used in both initial contract signings and renewal periods

**Non Disclosure Agreement**
- AKA NDAs
- Limit or prohibit sharing of patron data to:
  - Subcontractors
  - Service Providers
  - Other Third Parties
Walkthrough – Contract Addendum
Section 3.5
Communications
Onboarding – Communications

**Staff**
- Announcements via:
  - Email
  - Staff Intranet
  - Meetings
- Vendor privacy notice list
- Update privacy policies if necessary

**Patrons**
- Press releases or news announcements
- Vendor privacy notice list on public site
- Update privacy notice if necessary
Discussion – Public Communication Examples
Section Four: Maintenance Best Practices and Strategies
Walkthrough – Vendor Audit
Section Five: Wrap up
What is one thing from this workshop that you can put into practice or discussion at your library when you return?
Thank you
:-)

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