

## **Hales Corners Library**

### **Circulation Services – Parental Access to Children’s Records**

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#### **State Law**

Custodial parents or legal guardians have the right to information in library records regarding their children who are under the age of 16 according to Wisconsin Statutes §43.30.\*

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 §767.24(4). In situations involving separation or divorce, the courts will generally order periods of physical placement to both parents. However, in some cases, the courts will issue an order denying periods of physical placement to one or both parents. (Wisconsin Statutes §43.30(1b))

\*Chapter 43.30(4): “Upon the request of a custodial parent or guardian of a child who is under the age of 16, a library supported in whole or part by public funds shall disclose to the custodial parent or guardian all library records relating to the use of the library’s documents or other materials, resources, or services by the child.”

#### **Circulation Records – Procedure**

- a. Parents or guardians requesting information on what their children have checked out should be referred to the Circulation Services Supervisor or the Librarian-in-Charge.
- b. The first step in receiving this request for information is for the person making the request to complete the library’s “Custodial parent / guardian certification form.” This form will ensure that all of the information being requested is covered by State law and available for release. The library also uses this form to keep statistics on the number of requests.
- c. The staff member receiving the inquiry should verify that the person making the request is indeed the parent or legal guardian. This can be determined by matching the information in the child’s library record (birth date, social security number) with that given on the “Custodial Parent / Guardian Certification Form,” or by asking for other pertinent information such as a birth certificate or a court record. The parent does not necessarily have to live at the same address as the child. The library will also accept any other set of documents that demonstrates to the library’s satisfaction that the requester is the custodial parent or guardian of the child whose records have been requested.
- d. A printout of items checked out on the card, as well as fines and other charges can be given to the parent. Information from the rest of the registration record is still considered privileged and cannot be given out.
- e. Information can be obtained only for items currently checked out. Materials that have been returned are taken off the patron record and cannot be accessed.
- f. Most often, the requested information can be given to the parent / guardian at the time of the inquiry. If the verification of parental authority cannot be done immediately, the Circulation Services Supervisor or Librarian-in-Charge should forward the request to the Library Director. The Library Director will use additional methods such as the Consolidated Court Automation Programs (CCAP) Case management system to verify information and, if possible, comply with the request.

#### **Statistics and Questions**

- a. The Circulation Services Supervisor is responsible for maintaining the file on requests for information. The number of inquiries (not specifics of requests) shall be reported each

month to the Library Director, to be included in the monthly activity report to the Library Board.

- b. Address questions on this procedure to the Library Director.
- c. Refer to “Confidentiality of Records” for process to be followed when receiving other requests for library records.