

Item: WLS Bylaws Revision

Background: Article 1, Section 3 of the Westchester Library System (WLS) Bylaws outlines term limits for Board Trustees, which was effective January 1, 2008, and pertained to those Board Trustees that were in active service prior to 2008 when the term limit provisions took effect.

The current text of Article 1, Section 3 reads as follows:

Section 3. From January 1, 2008 forward, Trustees shall be limited to serving two consecutive five-year terms. For Trustees, who already were part of the Board prior to 2008, this limitation shall not include any previous terms served.

There are no longer any Board Trustees serving on the Board for which this provision applies, rendering the language obsolete.

Status: The Governance Committee met on June 2nd to review and discuss the Bylaws and suggest the following revision to remove the obsolete provision in Article 1, Section 3:

*Section 3. ~~From January 1, 2008 forward, Trustees shall be limited to serving two consecutive five-year terms. For Trustees, who already were part of the Board prior to 2008, this limitation shall not include any previous terms served.~~ **excluding any partial term when a member is appointed to fill a vacancy in an unexpired term.***

Per standard procedures, this amendment is being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board Meeting, which will be held in September 2020.

Any questions can be directed to Cathy Draper, Chair of the Governance Committee.

June 30, 2020

WESTCHESTER LIBRARY SYSTEM

PREAMBLE

The Board of Trustees of the Westchester Library System (WLS), hereafter designated as the Board, a corporation created by a charter granted by the University of the State of New York, November 21, 1958, hereby enacts the following Bylaws.

STATEMENT OF PURPOSE

WLS is a cooperative public library service agency having as members the 38 public libraries in Westchester County. The mission of WLS is to ensure that all residents have seamless access to excellent library service throughout Westchester County. WLS shall serve as a center of innovation for the Westchester County library community. WLS shall provide model programs, affordable and easy-to-use information technology and support services that enable libraries to continuously improve service to their communities.

BYLAWS

Article I. TRUSTEES

Section 1. The WLS Board is composed of 15 trustees, each of whom is elected for a term of five years. To ensure continuity, three Trustees are elected each year. The Appendix to these Bylaws lists the 15 library districts which the WLS Trustees represent.

Section 2. The principal responsibilities of the Trustees shall be to appoint an Executive Director for the Westchester Library System, to discharge fiscal responsibility for the System, and to promote public library service in Westchester County. The Trustees also shall act as liaisons between the System and their respective library districts and shall become well-informed about the issues and concerns of their respective libraries by remaining in contact with the local Board(s) of Trustees and Director(s).

Section 3. ~~From January 1, 2008 forward, Trustees shall be limited to serving two consecutive five-year terms. For Trustees, who already were part of the Board prior to 2008, this limitation shall not include any previous terms served.~~ excluding any partial term when a member is appointed to fill a vacancy in an unexpired term.

Section 4. Any vacancy on the Board shall be filled, for the balance of the unexpired term, by the Board on the recommendation of the area which nominated the original incumbent.

Section 5. Attendance at meetings is a prerequisite for continued service as a Trustee. Three or more absences during a calendar year shall be considered grounds for requesting replacement of the Trustee. The decision to replace a Trustee who has three or more absences during a calendar year shall rest with the member library or libraries comprising the library district represented by that Trustee.

Section 6. A Proxy may attend Board meetings from time to time, but may not vote in place of the absent member.

ARTICLE II. OFFICERS

Section 1. The officers of the System shall be as follows: President, Vice-President, Secretary, and Treasurer.

Section 2. The President, Vice-President and Secretary shall be elected annually by the Board from its membership.

Section 3. The Treasurer shall be appointed by the Board but need not be a member of the Board.

Section 4. The term of office of all elected officers shall be one year.

Section 5. No member of the Board may serve as President for more than two consecutive years.

Article III. DUTIES OF OFFICERS

Section 1. The President shall preside at meetings of the Board and System. The President shall be authorized to sign checks in payment of obligations of the System as approved by the Board of Trustees.

Section 2. The Vice-President shall preside at meetings and shall perform the other duties of the President in the absence or disability of the President. The Vice-President shall be authorized to sign checks in payment of obligations of the System as approved by the Board of Trustees.

Section 3. The Secretary shall have charge of the records of the System and shall keep the minutes of its meetings. The Secretary shall be authorized to sign checks in payment of obligations of the System as approved by the Board of Trustees.

Section 4. The Treasurer shall have charge of the funds of the System insofar as may be allowed by law. The Treasurer shall be authorized to sign checks in payment of obligations of the System as approved by the Board of Trustees. The Treasurer shall make monthly reports to the Board and such other reports as may be required from time to time. The Treasurer shall attend all meetings of the Board but if not a member of the Board, shall have no vote.

Section 5. The four officers of the Board, and the immediate Past President, who are Trustees shall comprise the Executive Committee. The Executive Committee shall perform such duties as are delegated to it by the Board of Trustees, and consult with the Executive Director as necessary between Board meetings, as appropriate.

Section 6. In addition to the foregoing duties, each officer shall have the authority and perform such duties as may be conferred upon the position by the Board.

Article IV. DUTIES OF THE EXECUTIVE DIRECTOR

Section 1. An Executive Director shall be selected by the Board of Trustees to serve as the Chief Executive Officer of the Westchester Library System.

Section 2. The Executive Director shall have overall responsibility for and supervision of the Library System, performing such duties as are usually required of Library System Directors under State law and regulation, within the framework of the policies and objectives established by the Board. The Executive Director shall also perform such other duties as the Board may direct.

Section 3. The Executive Director shall attend all meetings of the Board (or designate a representative in exceptional circumstances in case of his or her absence). The Executive Director may take part in the deliberations, but shall have no vote. The Executive Director shall submit to the Trustees an annual report as to the progress and condition of the System during the current year, accompanying the same with recommendations and suggestions as may seem to be expedient. The Executive Director shall be authorized to sign checks in payment of obligations of the System as approved by the Board of Trustees.

Article V. MEETINGS

Section 1. The regular meetings of the Board shall be held on the last Tuesday of each month at a time and place determined by the Board. A quorum shall consist of a majority of the Board members entitled to vote. If it is known in advance that a quorum will not be present at a regular meeting, the meeting may, at the discretion of the President, be held at a time at which a quorum can be present.

Section 2. The annual meeting of the System, time and place to be determined by the Board, shall be for the purpose of re-electing or electing new Board members, reviewing the minutes of the previous year's annual meeting of the System and receiving the annual report of the Executive Director, and considering any other business that may properly come before an annual meeting of the System.

Section 3. Special meetings of the Board may be called by the President, or upon request of five Trustees, for the transaction of such business as may be stated in the call.

Article VI. COMMITTEES

Section 1. The Board may designate Standing Committees and delegate to them the necessary powers to conduct their duties.

Section 2. Special Committees may be appointed by the President to conduct special tasks and upon completion of their assignments Special Committees will be dissolved.

Section 3. At the discretion of the Board, Standing and Special committees may be added or dissolved.

Article VII. AMENDMENTS

Section 1. Alterations, amendments or additions to these Bylaws, or the repeal of any thereof, may be made by majority vote of the Board at a regular or annual meeting, provided the changes shall have been submitted at an earlier regular meeting of the Board and a copy of the proposed changes sent by email or postal mail to each Board member at least ten days prior to the meeting at which the vote is to be taken.

Adopted November 25, 1958

Revised November 24, 1959

Revised December 27, 1960

Reaffirmed after Review, September 26, 1978

Revised November 24, 1987

Revised May 31, 1988

Revised October 30, 2001

Revised January 29, 2008

Revised December 9, 2008

Revised April 26, 2016

Revised January 29, 2019

APPENDIX
WESTCHESTER LIBRARY SYSTEM
DISTRICTS

DISTRICT I

Croton
Montrose
Yorktown

DISTRICT II

Briarcliff Manor
Ossining
Tarrytown

DISTRICT III

Bedford Hills
Chappaqua
Katonah
Mount Kisco

DISTRICT IV

North Salem
Somers
South Salem

DISTRICT V

Armonk
Bedford Village
Mount Pleasant
Pound Ridge

DISTRICT VI

Ardsley
Dobbs Ferry
Greenburgh
Hastings
Irvington

DISTRICT VII

Harrison
Purchase

DISTRICT VIII

Larchmont
Mamaroneck
Scarsdale

DISTRICT IX

Bronxville
Eastchester
Pelham
Tuckahoe

DISTRICT X

Port Chester
Rye Brook
Rye City
Rye Town

DISTRICT XI

White Plains

DISTRICT XII

Peekskill

DISTRICT XIII

Mount Vernon

DISTRICT XIV

New Rochelle

DISTRICT XV

Yonkers

Item: New Information Security Policy and Related Policy Revisions

Background: The NYS SHIELD (Stop Hacks and Improve Electronic Data Security) Act became effective on March 21, 2020. The new law requires organizations to have a policy in place to address how suspected and confirmed information breaches are addressed.

The law makes distinctions based on the size of the business with reduced requirements for small businesses. The law also has different requirements based on a business holding personal versus private information, mandating measures for holders of private information. WLS is defined as a small business under this law. However, WLS is also defined to be a holder of private information due to the nature of online account access for library cards.

Status: The Governance Committee met on June 2nd to review and discuss a draft of a new Information Security Policy to address the requirements of the NYS SHIELD Act. Additionally, the WLS Electronic Data and Telecommunications Policy #4 and the Privacy Policy #11 required revisions to reflect current practice and align with the new Information Security Policy.

Attached are the new and revised policies. Please note that the revised policies show deletions as ~~strike through~~ and additions as underscoring.

Per regular procedure, these policies are being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board meeting, which will be held in September 2020.

Any questions can be directed to Cathy Draper, Chair of the Governance Committee.

June 30, 2020

Subject: Data Security Program, Safeguards and Policy

Application: Employees, trustees, customers, consultants, contractors, vendors and visitors

Purpose:

In order to maintain a secure operating environment that safeguards private data of both patrons of Westchester Library System (WLS) member libraries and WLS employees, the following policy will address:

- Scope of WLS' information security role regarding the NYS SHIELD Act
- Roles within WLS that function to maintain information security
- Definition, inventory and limits on data stored in WLS systems

Scope of Policy:

The NYS SHIELD Act which took effect in March 2020 changes how businesses respond to both potential and confirmed data breaches on electronic systems.

WLS, having less than 50 total employees, is defined as a "small business" by the NYS SHIELD Act. As a small business WLS must adopt a security program with "reasonable administrative, technical and physical safeguards that are appropriate for the size and complexity of the small business, the nature and scope of the small business's activities, and the sensitivity of the personal information the small business collects from or about consumers."

The scope of data covered under this policy is limited to "private data" as defined in NYS General Business Law 899-bb2(b) and 899-aa (1) (a) and (b).

Roles:

The senior information technology (IT) employee at WLS will serve as the Data Security Coordinator. The Data Security Coordinator, or their appointee, will be responsible for implementing data safeguards for member library data held on WLS systems. The Data Security Coordinator will report directly to the Executive Director in all matters relating to the data security program regardless of direct reports defined in their job description.

The Data Security Coordinator will further develop and maintain an inventory of all private information as defined in the scope section of this policy. The inventory will include the data point, storage location and users impacted in the event of a breach or potential breach. The portion of the inventory impacting public users (library patrons) is to be posted on the WLS website Privacy Page. The inventory and public posting are to be updated no less frequently than annually.

The WLS employee charged with managing Human Resources data is responsible for implementing the safeguards as it relates to data about WLS employees.

Access Control:

The NYS Office of the State Comptroller (OSC) guidelines will serve as the primary source for

best practices. Any WLS system that stores data safeguarded under this policy must comply with the OSC guidelines for IT Governance regarding access control including, but not limited to:

- “A review of all system accounts [will] be periodically conducted and any account that cannot be associated with an authorized user or application [will] be disabled.”
- “Each user should have his or her own user account (username and password)”
- Passwords will be maintained with length, complexity and history requirements set by the WLS IT Department in alignment with the OSC guidelines.

The entire OSC guide on IT Governance can be found here:

<https://www.osc.state.ny.us/localgov/pubs/listacctg.htm#lgmg>

Data Stored on WLS System by Member Libraries:

WLS maintains two systems that have the potential to store data safeguarded under this policy:

- Shared Library Management System (LMS)
- File servers

Shared Library Management System (LMS)

The LMS is used to manage patron accounts for the lending of physical materials and patron user account authentication for access to electronic resources. The following chart defines patron data points specifically authorized for and barred from use on the LMS:

Authorized Data	Unauthorized Data
<ul style="list-style-type: none"> • Name • Address • Telephone number • Email address • Date of birth • Library card number • Account PIN or password • Reserve and transaction data 	<ul style="list-style-type: none"> • Social Security ID number • Driver’s license or non-driver ID number • Credit/debit card number • Bank account number • Biometric information including photos

WLS recognizes the username or e-mail address in combination with PIN or password used to access a patron’s online account constitutes private information protected by the NYS SHIELD Act. Should this information be breached or suspected of being breached, WLS will change the user password for each account. The new password will be communicated to each patron via email along with notification of the breach or potential breach.

File Servers

WLS provides member library access to file servers. These file servers store the data in users’ “My Documents” folders as well as file shares for each library. Under this policy the use of these file server services by any member library for the purpose of storing any data that is defined as “private data” referenced in the “scope” section of this policy is unauthorized.

Upon adoption of this policy and annually thereafter, member libraries will be notified of the data points specifically unauthorized and notified to take action to remove these data points from

the LMS and file servers if presently in use. The notification will further inform the library that any unauthorized data stored in the LMS and on file servers is done so at the sole liability of the member library.

Data Minimization for Member Libraries

Data minimization in this regard refers to reducing the amount of private data as defined by the NYS SHIELD Act stored in electronic form on these systems.

It is generally accepted that libraries use one or more of the unauthorized data points to eliminate duplicate registrants, to verify residency or other registration purposes. The intent of this policy is not to dissuade a library from continuing to use these data points for that purpose, but rather to ensure that the library will not store it in the shared LMS and create a point of compliance.

It is further recommended that member libraries take inventory of all private data stored in any other electronic systems and to implement practices of data minimization to reduce the impact of NYS SHIELD Act compliance in the event of breach or potential breach on any system used by the member library.

Data Stored on WLS Systems for Internal Human Resource Management:

WLS stores multiple instances of data defined as private information protected by the NYS SHIELD Act for the purpose of managing human resources as both active personnel and retirees. This data includes, but is not limited to, Social Security ID numbers and bank account information. WLS will follow the OSC guidelines for securing access to these information resources.

Should a breach or potential breach occur, employees and/or retirees whose data may have been impacted by such a breach will be notified of such compromise by hand-delivered letter with acceptance acknowledgement or certified mail with return receipt.

Data Minimization

Human resources staff will make every effort to practice data minimization. In this context data minimization refers to keeping as few electronic records as possible that contain data points defined as private as referenced in the scope section of this policy.

Internal Compliance Audits

The Data Security Coordinator or their designee shall be granted access necessary to conduct periodic reviews, to take place no less frequent than annually, to ensure compliance with the access control guidelines set forth by the OSC and the data minimization guidelines herein.

Subject: Electronic Data and Telecommunication

Application: Employees, consultants, contractors, temporaries, ~~vendors, visitors~~

Westchester Library System's (WLS) electronic communication systems, such as computers, ~~accessing the internet~~ Internet access, ~~voicemail~~, email, and telephone systems are made available to all employees to carry out legitimate business of WLS. All ~~communication and information transmitted by, received from or data~~ stored in these systems are the property of WLS with the exception of licensed programs and files which are the property of their respective owners. ~~and all~~ All communications are subject to review. Therefore, users of WLS's electronic communications systems, with the exception of library patrons, have no expectation of personal privacy. The privacy of library patrons is not within the scope of this policy. In the context of this policy "employee(s)" shall mean any full-time, part-time, per diem, temporary, volunteer employee or any person(s) or vendor(s) engaged in a contract with WLS using WLS electronic communication systems. ~~will not be violated by WLS unless it receives a valid legal or regulatory request and even then WLS will to the extent possible notify the patron and legally resist to the extent appropriate.~~

WLS may access its electronic communications systems and obtain the communications of employees within the systems, including Internet usage. Except in circumstances when the Executive Director believes that prior notice will result in a loss of data, WLS will provide notice to any employee prior to accessing records of his or her electronic communications if the reason for obtaining such access is to determine if the employee has violated WLS policy or law. WLS may obtain such access without notice in order to maintain the system or in the case of an emergency or to comply with a valid legal and regulatory order for information; or to ensure that WLS's operations continue appropriately during an employee's absence.

~~Only software and hardware approved by, purchased and installed by WLS are permitted.~~ WLS employees are encouraged to seek out and test solutions, including open-source software, to meet organizational needs. The Information Technology (IT) department is to be consulted before the adoption of any new software for production use. Further, unauthorized duplication of copyrighted computer software or any violation of federal copyright laws is strictly prohibited.

WLS's policy prohibiting harassment applies to the use of its electronic communications systems.

~~Since e~~ Electronic communication systems ~~are for business use only, these systems~~ may not be used to solicit for religious or political causes, ~~outside organizations or other personal matters unrelated to WLS's business.~~

No one may access, or attempt to obtain access, to another individual's electronic communications without appropriate authorization.

Personal use of computer, telephone and Internet systems calls, both incoming and outgoing, are ~~is~~ permitted is use of the email system for personal emails if placed in a separate email folder marked personal-provided ~~Such that~~ usages may do not interfere with the employee's work or with availability of WLS systems and must be kept to a minimum and as short as possible. ~~Users~~ Employees of telephone equipment should be aware that ~~calls are~~ usage, including email messages, is logged. ~~Emails are also logged and saved~~ Email is discoverable and as such should be maintained in accordance with Policy #8 – Records Retention and Distribution and use of WLS emails systems for personal use should be avoided whenever possible.

WLS provides resources (e.g. cellular telephones and Internet connectivity) to employees for mobile and remote work. WLS recognizes that employees may use these systems for personal use and that such use, while subject to this policy, may be broader than is enforced for use of in-house systems. Employees will further be responsible for service overage costs on these resources if such costs are related to personal use.

Any employee found to have violated this policy will be subject to disciplinary action, including immediate termination of employment and based upon severity of violation WLS may pursue ~~with possible~~ criminal charges.

If there is any uncertainty regarding the electronic communications and telecommunications policy, employees should speak with the head of Information Technology or the Executive Director for further clarification.

Last approved: May 26, 2015

Subject: Privacy

Application: ~~Employees, Consultants, contractors, vendors~~ Customers and visitors

The Westchester Library System (WLS) and its member libraries are committed to protecting the privacy of our staff, donors, customers and other external contacts. The WLS privacy policy defines our commitment not to collect any personal information about our users when ~~you visiting our WLS~~ you visiting our WLS websites or registering for a program or a library card unless ~~you such users~~ you such users choose to provide such information. Any information you choose to provide will only be used to more effectively provide and better target library services throughout the County.

This confidentiality extends to information sought or received, materials consulted, borrowed, acquired; and includes database search records, circulation records, interlibrary loan records, and other personally identifiable uses of library materials, facilities or services.

WLS places account information on the secure portion of its computer system. For this reason, patrons are asked to input their barcode number and PIN each time they want to access their account information on the website.

Cookies

Users accessing the WLS or member library websites will need to enable cookies¹ in order to access a number of resources available through WLS. WLS's servers use cookies solely to verify that a person is an authorized user of library resources or to facilitate web site functionality. WLS server will not employ cookies for advertising or marketing.

Emails and Web Forms

Identifying information that you provide by e-mails or web forms will be used only for such purposes as are described at the point of collection (for example on a web form), such as to send information or provide library services to you, update your membership record or to better target library services to meet constituent demands.

WLS or a member library may contact a patron to clarify a comment or question, to learn about your level of customer satisfaction with library services or to deliver information regarding a library card account. To do so requires contact information provided by the

¹ A cookie is very small text file placed on your hard drive by a Web Page server. It is essentially your identification card, and cannot be executed as code or deliver viruses. It is uniquely associated with the computer on which it is placed.

patron. WLS will not use patron/customer emails for commercial purposes nor will it provide such information to external organizations.

Information Collected and Stored Automatically

WLS does not collect information which identifies you personally. However, when a patron visits a WLS website to browse through the web site, read pages, or download information, certain information will be automatically gathered and stored about the visit to these pages:

1. The Internet domain (for example, "xcompany.com" if a private Internet access account, or "aschool.edu" if connected from a university) and IP address (an IP address is a number that is automatically assigned to a computer whenever it is connected to the Internet) from which access to the WLS web site is gained;
2. The type of browser and operating system used to access the WLS website;
3. The date and time of access to the website;
4. The pages visited and for how long; and
5. The address of the website from which the initial visit to the WLS or member library site was launched, if any.

WLS uses this information to help make its site more useful to visitors and to learn about the number of visitors to the site and the types of technology used. The data that is collected is not connected to a patron's personal information or identity.

Links to Other Sites

WLS's websites contain links to other sites. WLS and our member libraries are not responsible for the privacy practices of other sites, which may be different from the privacy practices described in this policy. ~~It is the patron's responsibility to become familiar with privacy practices of websites external to WLS, including linked sites.~~

Library users should be aware that WLS and its member libraries use third-party vendors to supply electronic services and content. Patrons that choose to use these services are responsible for making themselves aware of the privacy policies of these providers before and while using those services. WLS maintains a list of third-party service providers used by WLS that can be accessed through <https://www.westchesterlibraries.org/about-wls/patron-privacy/>.

Customer Circulation Records

WLS member libraries use a computerized system to collect and track customer circulation records. Each Library maintains information provided by our customers from the registration form they complete when they register for a library card. When an item is checked out, that item is then tied to that customer's record in the WLS system. WLS and member libraries make every effort to break the link between a customer and their circulation activity as soon as possible. Records are maintained as needed to report anonymized statistics, collect debts and complete the successful return of borrowed items. Patrons also have the option to extend retention of records to enable additional library account management features such as reading lists.

Privacy & Confidentiality of Library Records

Library records that are deemed confidential are covered by New York State Law signed on June 13, 1988 (~~1-CPLR~~[NYS CPL 4509](#)). These records are related to the circulation of library materials that contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems, of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests, or the use of audio-visual materials, films or records. These records shall be confidential and shall not be disclosed except that such records may be disclosed upon the request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

Revisions

WLS ~~and our member libraries~~ reserves the right to change or modify this privacy statement at any time. If WLS revises this privacy statement, changes will be posted on the WLS homepage.

Last approved: ~~November 27, 2018~~