



What You Need to Know About Addressing GDPR Data Subject Rights in Leganto

Version 1.6

Not Legal Advice

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Disclaimer

This paper is based on Ex Libris' understanding of certain requirements of the GDPR. However, the application of the requirements of the GDPR is highly fact specific, and many aspects and interpretations of GDPR are not well-settled.

As a result, this paper is provided for informational purposes only and should not be relied upon as legal advice or to determine how GDPR might apply to you and your organization. We encourage you to work with a qualified legal professional to discuss GDPR, how it applies specifically to your organization, and how best to ensure compliance.

Introduction

On May 25, 2018, the General Data Protection Regulation (GDPR) took effect in the European Union (EU). It replaced the Data Protection Directive (Directive”), which had been in effect since 1995. While the GDPR preserves many of the principles established in the Directive, the GDPR gives individuals greater control over their personal data and imposes many new obligations on organizations that collect, handle, or process personal data.

Ex Libris is committed to GDPR compliance across all of our products and services. We have closely analyzed the requirements of the GDPR, and our engineering, product, security and legal teams have been working to align our procedures, documentation, contracts and services to support compliance with the GDPR. We also support our customers with their GDPR compliance journey with our strong foundation of certified security and privacy controls.

This paper describes tools and capabilities built into Leganto that can assist your organization in addressing data subject rights and requests as a *controller* under the GDPR of personal data processed on Leganto.

Definitions

Personal Data means any information relating to an identified or an identifiable natural person (**Data Subject**); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by

Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law. With respect to the use of Leganto, the customer is the **controller**.

Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller. With respect to the use of Leganto, Ex Libris is the **processor**.

Data Subject is an identified or an identifiable natural person to whom personal data relates (e.g., patrons and staff).

As you read through this paper, keep in mind that your compliance with the GDPR involves your role as the **controller** and Ex Libris as the **processor**.

Summary of Data Subject Rights

The rights of data subjects provided by the GDPR include the following:

1. *Right to be Informed (Article 13, 14 GDPR)*

The right to be informed encompasses your obligation to provide ‘*fair processing information*’, typically through a privacy notice. It emphasizes the need for transparency over how you use personal data.

2. *Right of Access (Article 15 GDPR)*

Under the GDPR, individuals have the right to obtain:

- Confirmation that their data is being processed
- Access to their personal data; and
- Other categories of information - some of which should be provided by the controller in a privacy notice (see Article 15).

3. *Right to Rectification (Article 16 GDPR)*

Individuals are entitled to have their personal data rectified if it is inaccurate or incomplete without undue delay. If you have disclosed the personal data in question to third parties, you must inform such third parties of the rectification unless this proves impossible or involves disproportionate effort. You must also inform the individuals about the third parties to whom the data has been disclosed where requested.

4. *Right to Erasure (Article 17 GDPR)*

This right is also known as the *Right to be Forgotten*. It enables an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

Individuals have the right to have their personal data erased and to prevent further processing of their personal data in specific circumstances delineated in the GDPR, such as:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
- When the processing was based on consent, and the individual has now withdrawn their consent.
- When the individual objects to processing and there are no overriding legitimate grounds for continuing the processing.
- The personal data was unlawfully processed.
- The personal data has to be erased in order to comply with a legal obligation in Union or Member State law to which the controller is subject.

There are circumstances described in the GDPR where the right to erasure may not apply and a controller can resist a request for erasure.

5. *Right to Restrict Processing (Article 18 GDPR)*

When this right is exercised you are permitted to store the personal data but not further process it. The *Right to Restrict Processing* applies in the specific circumstances set forth in the GDPR, including:

- Where an individual contests the accuracy of the personal data, then processing should be restricted for a period enabling the controller to verify the accuracy of the personal data.
- When processing is unlawful and the individual opposes erasure and requests restriction instead.
- If you no longer need the personal data but are required by the individual to establish, exercise or defend a legal claim.
- Where an individual has objected to processing for reasons specified in the GDPR, pending the verification whether the legitimate grounds of the controller override those of the individual.

6. *Right to Data Portability (Article 20 GDPR)*

This right allows individuals to receive the personal data the individual provided to a controller in a structured, commonly used and machine-readable format and to transmit such data to another controller, without hindrance from the original controller. In exercising this right, the individual shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible. The *Right to Data Portability* applies where the individual has given consent to the processing of their personal data for one or more specific purposes, or where processing is carried out by automated means or in other circumstances specified in the GDPR.

7. *Right to Object (Article 21 GDPR)*

Individuals have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data which is based on certain specified provisions of the GDPR, including profiling based on those provisions.

8. *Right Related to Automated Decision Making and Profiling (Article 22 GDPR)*

The GDPR provides safeguards for individuals against the risk that a potentially damaging decision is taken without human intervention.

Individuals have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning the individual or similarly significantly affects the individual. The GDPR provides certain exceptions and conditions to this right.

9. *Right Related to Data Breach Notification (Article 34 GDPR)*

The GDPR introduces a duty on controllers to report certain types of data breaches to the relevant supervisory authority, and in some cases to the individuals affected by the breach.

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed. Where a breach is likely to result in a high

risk to the rights and freedoms of natural persons, the controller is required to communicate the personal data breach to the data subjects without undue delay.

Addressing GDPR Data Subject Rights with Leganto

The following section describes the capabilities of Leganto that can assist customers in complying with the rights of data subjects. The information is provided for Patrons (students and instructors) as the Data Subject and for Staff users as the Data Subject.

1. Rights of Data Subjects – Patrons – Students

Data Subject Right	Corresponding Leganto Functionality
Right to be Informed	Ex Libris provides comprehensive documentation regarding Leganto. Upon request, Ex Libris will provide you with additional relevant information you may need for addressing the Right to be Informed in relation to the processing of personal data by Leganto.
Right to Access	<p>All Student's Usage Data, annotations the student added to citations as part of the Social Reading feature, and submissions students compiled for Read & Respond assignments (including grades) are stored in Alma platform.</p> <p>Students can access annotations as long as they can access the course materials. They can access the Read & Respond answers until they submit these answers. Students cannot access their grades in Leganto, and cannot access other usage data, whether it is anonymized or not. Students can see their grades in the learning management system.</p> <p>Student usage data information can be retrieved by the library through Alma Analytics. Other data referred to here is not accessible to the library. The student usage data is anonymized by default unless the Student Success Measurements feature is on.</p> <p>Refer to Data Fields Used in Leganto for detailed information about the data maintained in Leganto/Alma.</p>

Right to Rectification	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p> <p>See here for more information on managing basic user details in Alma.</p>
Right to Erasure (Right to be Forgotten)	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p> <p>Students can delete their Social Reading annotations. They can also delete the answers to Read & Respond assignments, as long as they have not yet submitted the assignments. Assignments data, including grades, is deleted automatically from Leganto at the end of the course (plus a grace period set by the institution).</p> <p>For Student Success Measurements, information on deleting individual student usage data can be found here. See Data Fields Used in Leganto for detailed information about data in Leganto.</p>
Right to Restrict Processing	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p>

	<p>If the Student Success Measurements feature is activated, information for students can be deleted by checking a box in the user's profile in Alma. Once this box is checked, individual student data will no longer be collected and all historical data will be erased. Detailed information can be found here.</p> <p>Students can delete their Social Reading annotations. They can also delete the answers to Read & Respond assignments, as long as they have not yet submitted the assignments. Assignments data, including grades, is deleted automatically from Leganto at the end of the course (plus a grace period set by the institution).</p>
Right to Data Portability	<p>Export the patron collection:</p> <ul style="list-style-type: none"> - Students can export both their collection of items and reading lists to Word, PDF, Excel, RIS, and EndNote format. <p>Annotations and submissions cannot be exported.</p>
Right to Object	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p> <p>If the Student Success Measurements feature is activated, information kept on students can be deleted by checking a box in the user's profile in Alma. Once this box is checked, individual student data will no longer be collected and all historical data will be erased. Detailed information can be found here.</p>
Right related to Automated Decision Making and Profiling	<p>Any profiling or automated decision-making is determined and set by the customer.</p>

Right related to Data Breach Notification	<p>Ex Libris has procedures for data breach handling including notification. In the case of a personal data breach, Ex Libris will, as soon as possible and within 72 hours after having become aware of it, notify the customer.</p> <p>The notification will:</p> <ul style="list-style-type: none"> • Describe the nature of the personal data breach • Communicate the name and contact details of the data protection officer • Describe the likely consequences of the personal data breach • Describe the measures taken or proposed to be taken by Ex Libris <p>When required by the GDPR, the institution/library as Data Controller, is responsible for notifying the Supervisory Authorities and the affected data subjects.</p> <p>Ex Libris Security Incident Response Policy is available in the Ex Libris Knowledge Center - here</p>
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2. Rights of Data Subjects – Patrons – Instructors

Data Subject Right	Corresponding Leganto Functionality
Right to be Informed	Ex Libris provides comprehensive documentation regarding Leganto. Upon request, Ex Libris will provide you with additional relevant information you may need for addressing the Right to be Informed in relation to the processing of personal data by Leganto.
Right to Access	<p>All instructor's Usage Data is stored in Alma platform. The information can be retrieved by the library through Alma Analytics.</p> <p>Refer to Data Fields Used in Leganto for detailed information about the data maintained in Leganto/Alma.</p>
Right to Rectification	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p> <p>See here for more information on managing basic user details in Alma.</p>

Right to Erasure (Right to be Forgotten)	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p> <p>Instructors can remove their annotations and assignments. The retention of and the ability to erase annotations and assignments exists and can be exercised by the institution.</p> <p>See Data Fields Used in Leganto for detailed information about the data Leganto keeps.</p>
Right to Restrict Processing	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p> <p>The library can unassign the instructor from the course to remove all instructor usage events data. See Data Fields Used in Leganto for detailed information about the data Leganto keeps.</p>
Right to Data Portability	<p>Export the patron collection:</p> <ul style="list-style-type: none"> - Instructors can export both their collection of items and reading lists to Word, PDF, Excel, RIS, and EndNote format. <p>Annotations and assignments cannot be exported.</p>
Right to Object	<p>The user profile containing basic information about the user such as email and address is managed in Alma and can be edited or deleted.</p>
	<p>The library can unassign the instructor from the course to remove all instructor usage events data. See Data Fields Used in Leganto for detailed information about the data Leganto keeps.</p>
Right related to Automated Decision Making and Profiling	<p>Any profiling or automated decision-making is determined and set by the customer.</p>

Right related to Data Breach Notification	<p>Ex Libris has procedures for data breach handling including notification. In the case of a personal data breach, Ex Libris will, as soon as possible and within 72 hours after having become aware of it, notify the customer.</p> <p>The notification will:</p> <ul style="list-style-type: none"> • Describe the nature of the personal data breach • Communicate the name and contact details of the data protection officer • Describe the likely consequences of the personal data breach • Describe the measures taken or proposed to be taken by Ex Libris <p>When required by the GDPR, the institution/library as Data Controller, is responsible for notifying the Supervisory Authorities and the affected data subjects.</p> <p>Ex Libris Security Incident Response Policy is available in the Ex Libris Knowledge Center – here</p>
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3. Rights of Data Subjects – Staff

The following section describes the capabilities of Leganto that can assist customers in complying with the rights of the data subjects with respect to its library staff who generally manage Leganto for the customer.

Data Subject Right	Corresponding Leganto Functionality
Right to be Informed	<p>Ex Libris provides comprehensive documentation regarding Leganto. Upon request, Ex Libris will provide you with additional relevant information you may need for addressing the Right to be Informed in relation to the processing of personal data by Leganto.</p>
Right to Access	<p>As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to What You Need to Know About Addressing GDPR Data Subject Rights in Alma for detailed information.</p>

Right to Rectification	As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to <i>What You Need to Know About Addressing GDPR Data Subject Rights in Alma</i> for detailed information.
Right to Erasure (Right to be Forgotten)	As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to <i>What You Need to Know About Addressing GDPR Data Subject Rights in Alma</i> for detailed information.
Right to Restrict Processing	As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to <i>What You Need to Know About Addressing GDPR Data Subject Rights in Alma</i> for detailed information.
Right to Data Portability	As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to <i>What You Need to Know About Addressing GDPR Data Subject Rights in Alma</i> for detailed information.
Right to Object	As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to <i>What You Need to Know About Addressing GDPR Data Subject Rights in Alma</i> for detailed information.
Right related to Automated Decision Making and Profiling	As Leganto is part of the Alma (higher education) platform, Staff information is managed in Alma. Please refer to <i>What You Need to Know About Addressing GDPR Data Subject Rights in Alma</i> for detailed information.

Right related to Data Breach Notification

Ex Libris has procedures for data breach handling including notification. In the case of a personal data breach, Ex Libris will, as soon as possible and within 72 hours after having become aware of it, notify the customer.

The notification will:

- Describe the nature of the personal data breach
- Communicate the name and contact details of the data protection officer
- Describe the likely consequences of the personal data breach
- Describe the measures taken or proposed to be taken by Ex Libris

When required by the GDPR, the institution/library as Data Controller, is responsible for notifying the Supervisory Authorities and the affected data subjects.

Ex Libris Security Incident Response Policy is available in the Ex Libris Knowledge Center – [here](#)

Data Fields Used in Leganto

2. Reading Lists

Field	Description
Instructors and Collaborators IDs	The IDs of the instructors and collaborators
Reading List Creator	The creator of the reading list
Reading List Modified By	The person who modified the reading list
Reading List Owner	The owner of the reading list
Reading List Score	The score of the reading list

2. Citations

Field	Description
Citation Creator	The creator of the citation
Last Updated by	The last person who updated the citation
Citation ID	Citation ID

3. Student Usage

Field	Description
Students Discussion	Discussion comments between the instructor and the student for a citation or a list
Student Annotations	Social Reading annotations on the file which is part of a citation. Annotations could include questions or comments about the course material. Annotations are visible to anyone with access to the reading list materials.
Student Scores	Scores given by the instructor to Read & Respond assignments. Once the instructors publishes a score, the score is pushed to the LMS gradebook. It is removed from Leganto when the course ends.
My collection	A set of the citations the student has selected and saved as a private collection

4. Instructor Usage

Field	Description
Students Discussion	Discussion comments between the instructor and students for a citation or a list
Instructor Annotations	Annotations that the instructor adds to citations as part of the Social Reading functionality in Leganto.
My collection	A set of the citations the user has picked and saved as a private collection
My reading lists	All reading lists that the instructor created or edited, alone or together with others

Usage Event	Every event performed by the instructor is logged, including instructor, date, type of event (e.g., Add Citation Public Note), event value (e.g., the specific note added), and date
Library Discussion	Discussion comments between the library and the instructor for a citation or a list

5. Student Success Measurement Feature - Optional

This information is available **only** if the customer has opted into and activated the Student Success Measurement feature. As with storage and processing of all personal data, we remind customers that they must have a legal basis for processing this additional personal data and, if required, informing its data subjects.

The list below reflects the items currently being tracked. The items to be tracked might change from time to time.

Field	Description
Activity: List Viewed	Kept for each Student's view of a list
Activity: Citation Viewed	Kept for each view of a Student's citation
Activity: Link Click	Kept per citation, for each click on a link
Activity: File Download	Kept per citation, for each file download
Activity: Like	Kept per citation, for each time a use clicks "like"
Activity: Comment	Kept per comment (on a citation and on list)
Activity: Done	Kept per citation, for each time a use clicks "Done"
Activity: Mobile Activity	Kept per any of the activities above, if the student was using a mobile device
Activity: Non-Mobile Activity	Kept per any of the activities above, if the student was using a non-mobile device

Field	Description
Attribute: Events using LTI	Kept per any of the activities above, if the student accessed Leganto from the learning management system by clicking a Learning Tools Interoperability (LTI) link.
Attribute: Operating System	The operating system of the student's device, kept per any of the activities above.
Attribute: Browser Type	The browser type of the student's device, kept per any of the activities above.
Attribute: Browser Version	The browser version of the student's device, kept per any of the activities above.
Attribute: LTI Profile Code	The LTI profile code, kept per any of the activities above (when an LTI link was used to access Leganto).
Attribute: Citation Library Internal Tags	The library internal tags of the citation, kept per citation, per any of the activities above.
Attribute: Student Type	The student type, kept per any of the activities above.