

Circulation Policy 225

Confidentiality of Patron Records

Approved: December 14, 2004

Revised: April 18, 2006

March 23, 2007

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It is the policy of the Spring Lake District Library to preserve the confidentiality and privacy of the library records of its patrons to the fullest extent permitted by law. The Library Privacy Act provides that a “library record” is not subject to disclosure under the Freedom of Information Act and may not be released or disclosed to any person without the written consent of the person liable for payment for or return of the materials identified in that library record unless ordered by a court. Accordingly, the Library will not release or disclose a “library record” except as provided by the Library Privacy Act. In addition, and in certain circumstances, the USA PATRIOT Act, P.L. 107-56, supercedes the Michigan Library Privacy Act and disclosure of library records is mandatory pursuant to an appropriate federal agency order or warrant. Such federal order or warrant may also require the library to refrain from notifying the patron of the disclosure. However, the Library may contact its attorney in such case for legal advice. The Library Director is the only person authorized to release information requested under the Library Privacy Act or the USA Patriot Act. The Library Director may designate another individual to act on his or her behalf.

No Library employee shall release or disclose, in whole or part, library records to any person other than the patron named in the record (i.e., the library cardholder) or the person liable for payment for or return of the materials identified in the record (for example, a parent or legal guardian) without a written consent or an appropriate court or agency order or warrant. The Library is bound by the Michigan Library Privacy Act (MCL 397.601-605) in which a “library record” is defined as a document, record, or other method of storing information retained by the Library that personally identified a library patron including the patron’s name, address or telephone number, or that identifies a person as having requested or obtained specific materials from a library.

In addition, a “library record” may be a patron record, an item record, or the record of a transaction. Patron records belong to the home library of the patron; item records belong to the owning library of the item; transaction records belong to the library where the transaction took place. Library staff shall not release or disclose, in whole or in part, another Library’s records to any third party, except as provided above.

The Library, however, may use a “library record” for the purpose of retrieving overdue materials, collecting fines and other library business permitted by law. Additionally, the library may use the email address of patrons who have signed the email consent form on the registration card for library purposes as stated on the card including regular emails of monthly calendars and other notifications.