

<p style="text-align: center;"><b>Cromaine District Library</b> <b>Policy</b></p>	<p>Policy #: 2020 Page 1 of 3</p>
<p style="text-align: center;"><i>PRIVACY OF LIBRARY RECORDS</i></p>	<p style="text-align: center;"><u>Tracking Record</u></p> <p>Previous Policy Dated: 11/14/83; Date Approved: 2/20/97 Revised: 1/21/00; 11/02; 9/18/08; 9/16/10; 9/21/17; 9/1/2020; 9/16/2021;10/20/22 Reviewed: 9/23/09; 9/15/11; 9/20/12; 9/19/13;9/13/23;9/19/24</p>

## Purpose

The Cromaine District Library respects the privacy of library users and of visitors to its website. Library users, in person or on-line, must be assured that information provided to the Library is used responsibly and appropriately. To protect library user’s privacy and to comply with the Michigan Library Privacy Act (MCL 397.601) as amended and the USA PATRIOT Act, the Board of Trustees has adopted the following policy.

## Scope

All records relating to patron registration and the subsequent circulation of materials and the use of materials and resources provided by the library are protected by the Michigan Library Privacy Act Public Act 455 of 1982 (MCL 397.601 to 397.605). Information regarding library program registration is considered confidential by the Library and will not be released to third parties. Only the Library Director is authorized to respond to requests for records or inquiries from law enforcement agencies.

## Definition of a Library Record

The Library Privacy Act defines a library record as a “document, record, or other method of storing information retained by a library that contains information that personally identifies 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.”

Examples of library records include:

- Circulation records of any kind: who has what checked out, on hold, overdue, lost, or on interlibrary loan
- ”Release of Library Records” forms
- Email to and from a patron
- Library database and backups to the database

## Compliance with the Library Privacy Act

Only the Library Director has the authority to release or disclose a library record without written consent of the person identified in that record. The procedure and form for giving written consent will be determined by the Library. The Library Director shall not release any portion of a library record without the written consent of the person identified in that record unless ordered to do so by a court of law using a valid warrant or court order.

Library records of a minor child may be released to a custodial parent or legal guardian only for the purpose of tracking lost, damaged, or overdue material. The custodial parent or legal guardian shall have completed and signed the minor's library card application accepting fiscal responsibility for library materials checked out to said minor and authorizing the release of the child's records.

Any library employee who receives a request, or who is served with a valid subpoena, court order, or other legal process to release or disclose any library record shall promptly notify the Library Director.

The Library Director shall review all requests and orders, consult with the library's attorney as necessary, and respond in an appropriate manner to each such request or court order in accordance with this policy and with the Michigan Library Privacy Act.

### **Compliance with the USA PATRIOT Act**

As required by the Foreign Intelligence Security Act (FISA) and the USA PATRIOT Act of 2001, and amendments, the Library Director shall comply fully with a valid court order to disclose or release library records. The Library Director will consult with the library's attorney before doing so.

As required by FISA and its amendment, the Library Director, as well as any staff member involved in providing the requested library records, shall not disclose to any person, including the patron whose records were seized, the existence of the court order or the fact that records were produced as a result of the court order. The government can prosecute a staff member for disclosing information.

### **Compliance with the Freedom of Information Act**

Michigan's Freedom of Information Act, Public Act 442 of 1976, was adopted to enable the citizens of Michigan to have access to certain public records kept by public bodies. Library records, as described by Michigan's Privacy Act, are specifically exempted from the disclosure requirements of the Freedom of Information Act in the latter's Section 13 (MCL 15.243 and on).

### **Information Collected**

- From all patrons: Name, address, phone number, email address, township, birth date, and driver's license number. Note: An individual's social security number will not be collected for any purpose by Cromaine District Library.
- From patrons under 18 years of age: In addition to the information collected for all patrons, the name, and signature of the parent or legal guardian is required.
- Program registration: Name, phone number, library barcode number, e-mail address.

### **Information Use**

The information that the Library collects is used solely by the Library to provide services to its users.

Address, phone number, and email address information is used to contact library users regarding materials on hold, long overdue items, and interlibrary loans.

Data on township and age help the Library analyze library use by segments of its user population. It may be used to contact a particular group of users regarding library services.

Program registration information is used to confirm registration if attendance is limited so that those on the waiting list can be accommodated, if possible.

Information provided on release forms is used to ensure that only those individuals who have been given authorization may pick up materials being held for another library user or get information about overdue materials charged out to a child for whom the individual is financially or legally responsible.

### **Ensuring Compliance**

The Library is committed to making sure that its privacy policy is understood and respected by all of its employees. All employees who collect or disclose information about library patrons are trained to ensure that they understand the privacy policy and how this policy affects an individual's job responsibilities.

Library patrons who are concerned about the treatment of their personal data should contact the Library Director.