

Policy: 701  
Subject: Privacy of Library Records  
Reviewed: 01/27/2004, 04/02/2010  
Approved: 01/27/2004  
Revised:

The Milford Public Library respects the privacy of library users and of visitors to its Web site. Library users, in person or on-line, must be assured that information provided to the Library is used responsibly and appropriately. To protect library users privacy and to comply with the Michigan Library Privacy Act (MCL 397.601) and the USA Patriot Act, the Board of Trustees has adopted the following policy.

- 1) 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 Library Privacy Act (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.
- 2) 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:
  - a) Circulation records of any kind: who has what checked out, on hold, overdue, lost, on interlibrary loan
  - b) “Release of Library Records” forms
  - c) Email to and from a patron
  - d) Record of websites visited
  - e) Library database and backups to the database
- 3) Compliance with the Library Privacy Act
  - a) 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 consent of the person identified in that record unless ordered to do so by a court of law.
  - b) 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 must complete and sign a release form accepting fiscal responsibility for library materials checked out to said minor and authorizing the release of the child’s records.
  - c) Any library employee who receives a request, or who is served with a subpoena, court order, or other legal process to release or disclose any library record shall promptly notify the Library Director.
  - d) 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 Library Privacy Act.

- 4) Compliance with the USA Patriot Act
  - a) As required by the Foreign Intelligence Security Act (FISA) and its amendment (USA Patriot Act of 2001, Sections 215 and 216), the Library Director shall comply fully with a court order to disclose or release library records. The Library Director will consult with the library's attorney, if possible, before doing so.
  - b) 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.
- 5) What information is collected by the Library?
  - a) From all patrons: name, address, email address and telephone number for purposes of issuance of library cards and mailing of notices.
  - b) From patrons under 18 years of age: in addition to the information collected for all patrons, we ask for the name of the parent or legal guardian.
  - c) Program registration: Name, telephone number, and residency
- 6) How is the information collected used by the Library?
  - a) The information that the Library collects is used solely by the Library to provide services to its users.
  - b) Address, email, and phone number information is used to contact library users regarding materials on hold, long overdue items, and interlibrary loans.
  - c) Program registration information is used to confirm residency if attendance is limited.
- 7) How does the Library ensure compliance with its Privacy Policy?
  - a) 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.
  - b) Library patrons who are concerned about the treatment of their personal data should contact the Library Director.