

It is the policy of the Chippewa River District Library System to preserve the privacy of its patrons' circulation records to the fullest extent permitted by law. According to the Michigan Library Privacy Act, unless ordered by a court, library staff shall not release or disclose a library record or portion of a library record to a person without the written consent of the person responsible for payment for or return of the materials identified in that library record. The responsible party may be the cardholder, or in the case of a minor, the parent or guardian who has signed for the card.

1. Definition of “Library Record”

A "library record" is defined in the statute as "a document, record or other method of storing information retained by a library that identifies a person as having requested or obtained specific materials from a library." "Library record" does not include non-identifying material such as circulation statistics.

2. Retention of information

Personal information associated with technology such as RFID, or hosted for another library will not exceed the information retained in the library's automation system and will be secured. Such information constitutes a “library record” and as such is covered under the Michigan Library Privacy Act.

3. Shared library system

Chippewa River District Library participates in a shared automation system. Patron records can be viewed for circulation purposes only by the library staff of the participating libraries.

4. Request procedures

- a. Notification of the Library Director or designee: Any employee of the Chippewa River District Library System who receives a request, or who is served with a subpoena, court order, or other legal process, to release or disclose any library records shall promptly notify the Library Director.
- b. Action by the Library Director: The Library Director, in a timely manner, shall review all requests and orders, consult with the Library's attorney as necessary, and respond in an appropriate manner to each such request and order in accordance with this policy. All requests by any person or entity other than the patron named in the record shall be denied unless the Library Director has received the named patron's written consent for such release or disclosure or the request is in compliance with existing state or federal law.

- c. The Library Director shall comply fully with a court order to release or disclose library records if that court order was properly obtained under Section 3(2) of the Library Privacy Act (MCL 397-603). The court may issue an order for disclosure only "after giving the affected library notice of the request and an opportunity to be heard thereon."

*The basis for this policy is the Michigan Library Privacy Act, 1982 Public Act 455, MCL 397.601 - 397.605 and the Freedom of Information Act (MCL 397.603 and MCL 15,243[d]).

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