

Confidentiality of Patron Registration Policy

It is the policy of the Sanilac District Library to preserve the confidentiality of the registration records of its patrons to the fullest extent permitted by law. To that end, the registration records of the library shall be released or disclosed only as provided for herein. All patron registration information shall be treated by the staff of the Sanilac District Library as confidential, including name, address, telephone number, and any other information provided on the patron's registration form. This policy also prohibits disclosure of whether or not a person has a library card.

1. **Registration Records:** This policy defines "registration records" as any information gathered from the patron on the library card registration form and/or any information entered into the library's patron database. This policy does not cover library circulation records protected by the Michigan Library Privacy Act. For information on nondisclosure of those records, see the Compliance with the Michigan Library Privacy Act Policy.
2. **Notification of the Library Director:** Any employee of the Sanilac District Library who receives a request, or who is served with a subpoena, court order, or other legal process, to release or disclose any registration record shall promptly notify the Library Director.
3. **Action by the Library Director:** The Library Director, in a timely manner, shall review all requests and orders, consult with an 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 Freedom of Information Act, 1976 Public Act 442, MCL 15.231-15.246.
4. **Requests for Registration Information:** The Library Director shall deny, in writing, all requests for the release or disclosure of registration information unless the Library Director has received the written consent to such release or disclosure from the person(s) identified in the records. Patron registration information is considered by the Library Board to be "information of a personal nature where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy" as exempted from disclosure in the Michigan Freedom of Information Act, MCL 15.243(1).
5. **Freedom of Information Act Requests for Registration Information:** The Library Director shall deny, in writing, any designated "Freedom of Information Act" request for the release or disclosure of confidential patron registration information.
6. **Court Order for Patron Information:** The Library Director, after consultation and advice from an attorney, shall comply with any subpoena or court order to release or disclose patron registration information.
7. **Authority for Policy:** The authority for this policy is the Michigan Freedom of Information Act, 1976 Public Act 442, MCL 15.243(1)(a) and Section 2 of PA 455 of 1998 regarding information of a personal nature where the disclosure would constitute a clearly unwarranted invasion of privacy.

Compliance with the Michigan Library Privacy Act Policy

It is the policy of the Sanilac District Library to preserve the privacy of circulation records of its patrons to the fullest extent permitted by law. To that end, the circulation records of the Library shall be released or disclosed only as provided for herein.

Library staff shall not release library records to any person other than the patron named in the record (i.e., the library cardholder). The Michigan Library Privacy Act prohibits disclosure to all third parties, including parents or other persons who have signed to accept financial responsibility for the cardholder.

1. Records Protected by the Michigan Library Privacy Act: The Michigan Library Privacy Act provides that library records may not be disclosed to third parties unless the library has received written permission of the patron or a properly obtained court order (MCL 397.603). 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. Notification of the Library Director: Any employee of the Sanilac District Library who receives a request, or who is served with a subpoena, court order, or other legal process, to release or disclose any library circulation records shall promptly notify the Library Director.

3. 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.

4. Requests for Library Records: The Library Director shall deny, in writing, all requests for the release or disclosure of library records as defined under the Michigan Library Privacy Act, unless the Library Director has received the named patron’s written consent for such release or disclosure.

5. Court Order for Release of Library Records: 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.”

6. Authority for Policy: The authority for this policy is the Michigan Library Privacy Act, 1982 Public Act 455, MCL 397.601 - 397.605. Library records protected by the Michigan Library Privacy Act are exempt from disclosure under the Freedom of Information Act (MCL 397.603 and MCL 15.243[d]).

Disclosure of Library Records

As permitted by the Library Privacy Act (Section 2 of PA 455 of 1998), Sanilac District Library will disclose library records to a third party upon the written consent of the cardholder. This includes disclosing a title when performing a renewal of library material. The Library provides a consent form which must be filled out and signed by the cardholder (see form). The consent form will be kept on file and checked when the disclosure of library records is requested. A new consent form must be submitted each time the library card is renewed. This cardholder, at any time, may revoke the consent for disclosure of library records by written notification to the Library.

Release of a Minor Child's Library Records

Public Act 188 of 1996, an amendment to the Michigan Library Privacy Act, permits disclosure of library records if the library receives "written consent of the person liable for payment for or return of the materials identified in that library record". MLC 397.603(2)

If a parent or legal guardian sign to accept legal responsibility for return of his/her child's library materials and to accept financial liability for that child's library fines and other charges, the parent or legal guardian may authorize the disclosure of that child's library records.

Library staff may give titles to parents if the:

1. parent signs to accept responsibility for his/her child's library "debts", AND
2. parent signs a disclosure form giving consent on behalf of the child for the release of the child's library records. Verification must be given that he/she is actually the child's parent or legal guardian.

The Library provides a consent form which must be filled out and signed by the parent.

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Release of Minor Child's Library Records Form

Under Section 3 of the Michigan Library Privacy Act, MLC 397.601 et seq., a library may not release a minor child's library records unless the parent or legal guardian or the minor child completes and signs this form.

Name of minor child: _____

I hereby declare that:

1. I am the mother/father/legal guardian (circle one) of the above-named minor child:

And

2. I accept full responsibility for return of library materials checked out by the above-named child, as well as liability for payment for the child's overdue fine and damaged or lost materials;

And

3. I give consent for the release of the child's library records to _____
(name of third party - write "self" if the records are to be released to the signing parent or guardian.)

Signature: _____ Date: _____

Witness: _____ (library employee)

DISCLOSURE OF LIBRARY RECORDS CONSENT FORM

I give Sanilac District Library permission to release my library circulation records to the individual(s) listed below.

List the Name, Address and Telephone Number of the Authorized Individual(s):

Name: _____

Address: _____

Phone: _____

I understand that a new consent form must be submitted each time my library card is renewed. I further understand that it is my responsibility to provide written notification to the Library should I wish to revoke this consent between the time period of card renewals.

Signature: _____

Date: _____

Sanilac District Library Card Number: _____