

Circulation Policy No. 14

Subject: CONFIDENTIALITY OF PATRON RECORDS POLICY

Adopted by Board July 14, 1993; Revised March 17, 2021

Confidentiality of Library Patron Records Policy

It is the policy of the West Bloomfield Township Public Library to preserve the privacy of the records of its patrons to the fullest extent permitted by law. To that end, the patron records shall be released or disclosed by the Library, an employee or agent of the Library, only as provided for herein.

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 (1982 PA 455 as amended). A "library record" is defined in the statute as "a document, record, or other method of storing information retained by a library that contains information which 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. "Library record" does not include the following, and may be subject to disclosure: (1) non-identifying material that may be retained for the purpose of studying or evaluating the circulation of library materials in general; and (2) recorded video surveillance images made solely for security purposes that do not include images of any activity or any other document or record that identifies a person as having requested or lawfully obtained specific services, materials, or information resources from a library.

2. **Notification of the Library Director:** Any employee of the West Bloomfield Township Public 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, MCL 397.602, unless the Library Director has received the named patron's written consent for such release or disclosure, except as provided in sections 5 and 6 below.

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. **Release of Library Records without Court Order or Prior Written Consent:** The Library Director may disclose the following library records without a court order or prior written consent: (1) information about the delinquent account of a patron who receives materials from the library to a collection agency under contract with the library. The library or an employee or agent of the library shall provide the collection agency with only the library records necessary to seek the return of overdue or stolen materials or to collect fines from the patron; and (2) records to another library or library cooperative for the purpose of conducting interlibrary loans.

7. **Authority for Policy:** The authority for this policy is the Michigan Library Privacy Act, MCL 397.601 *et seq.*, and the Freedom of Information Act, MCL 15.231 *et seq.*

