

Big Rapids Community Library
426 South Michigan Avenue
Big Rapids, MI 49307

Policy Regarding Confidentiality of Patron Registration at the Big Rapids Community Library

It is the policy of the Big Rapids Community 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 (patron records) of the library shall be released or disclosed only as provided herein.

All patron registration information shall be treated by the staff of the Big Rapids Community Library as confidential, including name, address, telephone number, and any other information provided on the patron's record. This policy also prohibits disclosure of whether or not a person has a library card.

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.

Notification of the Library Director: Any employee of the Big Rapids Community 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.

Action by the Library Director: The Library Director, in a timely manner, shall review all requests and orders, consult with the City Clerk for the City of Big Rapids, 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.

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).

Freedom of Information Act Requests for Registration Information: The Library Director shall forward the “Freedom of Information Act” request for the release or disclosure of confidential patron registration information to the City Clerk of the City of Big Rapids, who shall deny releasing any of this information.

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.

Authority for Policy: The authority for this policy is the Michigan Freedom of Information Act, 1976 Public Act 442, MCL 15.243(1)(a) 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 Big Rapids Community 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.

Records Protected by the Michigan Library Privacy Act: The Michigan Library Privacy Act provides that the 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.

Procedures

Notification of the Library Director: Any employee of the Big Rapids Community 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.

Action by the Library Director: The Library Director, in a timely manner, shall review all requests and orders, and submit them to the City Clerk of the City of Big Rapids.

Request 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.

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."

Authority for Procedure: The authority for this procedure 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]).

Adopted by the Big Rapids Community Library Board April 15, 1998

DISCLOSURE OF LIBRARY RECORDS CONSENT FORM
FOR ADULTS

I give the Big Rapids Community 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):

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: _____

Card Number: _____