

POLICY # : Policy on Confidentiality of Patron Records

Purpose: The purpose of this policy is to preserve the confidentiality and privacy of the registration and circulation records of its patrons to the fullest extent permitted by law. To that end, the registration and circulation of the library shall be released or disclosed only as provided for herein:

- A. Confidential Records under the Library Privacy Act. Any document, records, or other method of storing information retained by the Library that identifies a person as having requested or obtained specific materials from the Library is a confidential record which shall not be released or disclosed to any person without the written consent of the person identified in the confidential record, unless a court orders such release or disclosure, or unless the confidential records belong to a minor (see part C below).

- B. Confidential Records under the Michigan Freedom of Information Act. Any other record or data pertaining to the name, address, telephone number, number of items a specific person has checked out, whether a specific person has a library card, how often a specific person uses the library, and any other information which identifies the library activities of a specific person will not be disclosed to third parties since these are considered to be an unwarranted invasion of privacy under the Michigan Freedom of Information Act (Act No. 442 of P.A. of 1976, being MCLA sections 15,231 to 15,346) unless a court orders such release or disclosure or unless the records belong to a minor (see part C below).

- C. Parental Access. In recognition of the Novi Code of Ordinances, Section 19-5(d), when library property lent to a minor has not been returned in a timely manner, a parent or legal guardian of such minor, upon producing valid identification, shall be deemed the person liable for payment for or return of the library property for purposes of providing written consent for the parent or legal guardian shall complete a “Release of Minor Child’s Library Records” form to provide such written consent.

- D. Nonidentifying Records. Any other record or data pertaining to the circulation of library materials in general which does not identify a person may be released or disclosed to the extent and in the manner provided in the Michigan Freedom of Information Act.

- E. Notification of Library Director. Any employee of Novi Public Library who receives a request other than as noted in section C or who is served with a subpoena, court order, or other legal process, to release or disclose any library circulation record or material shall promptly notify the Library Director.

- F. Process For Requesting Access to Library Records under the Michigan Freedom of Information Act. Individuals wishing to access the records of Novi Public Library must use Freedom of Information request procedures as documented in MCLA section 15.235 of the Michigan Freedom of Information Act.

- G. Action of Library Director. The Library Director, in a timely manner, shall review all requests and orders, consult with the City Attorney and the Library of Michigan and the Library Board, as necessary, and respond in an appropriate manner to each such request and order in accordance with this policy and section 15.236 of the Michigan Freedom of Information Act.

- H. Court Order for Confidential Records. The Library Director shall comply fully with any subpoena or other court order to release or disclose confidential records as defined above.

Effective: 11/11/96

Signed: