

Confidentiality of Patron Records Policy 2025

It is the policy of the Lakeland Library Cooperative (the “Cooperative”) to preserve the privacy of patrons’ library records in the Cooperative’s database as required by the Michigan Library Privacy Act (the “Privacy Act”), Public Act 455 of 1982, as amended. The Cooperative strives to ensure the highest possible standards of privacy for patrons’ library records.

The Privacy Act generally prohibits the disclosure of library records to all third parties unless an exception applies, or the patron has given his or her express written consent for the disclosure. For purposes of the Privacy Act and this Policy, a “patron” is the person responsible for making payment to the library or the person responsible for the return of the materials identified in the library record. As provided in MCL 397.602(2), library records may be released under the Privacy Act without the patron’s express written consent only under certain circumstances, such as upon a court order, for the purpose of contact with a collection agency employed by the library, or for purposes of conducting interlibrary loans. In addition, and in certain circumstances, federal law may supersede the Privacy Act and require the disclosure of library records pursuant to an appropriate federal agency order or warrant. Such federal order or warrant may also require the library to refrain from notifying the patron of the disclosure.

A “library record” may be a patron record, an item record, or the record of a transaction. Patron records belong to the home library of the patron; item records belong to the library which owns the item; and transaction records belong to the library where the transaction took place. For any given transaction, a library which satisfies any one or more of these elements has ownership rights in the record of the transaction. For the purposes of implementing this Policy, the Cooperative shall be deemed to share ownership in all records on the shared database system.

Neither Lakeland Library Cooperative staff nor member-library staff, volunteers, or board members shall release or disclose, in whole or in part, library records to any person other than the patron named in the record (i.e., the library cardholder) or the patron liable for payment for or return of the materials identified in the record (for example, a parent or legal guardian) without an appropriate court or agency order or warrant, or for a reason specifically provided for in the Privacy Act. Only member-library staff, volunteers, and board members who have been properly trained on the Privacy Act in accordance with this Policy may access library records from the Cooperative’s database(s). The Cooperative will provide the required Privacy Act training for individuals to meet the requirements of this Policy. Alternatively, other parties may provide Privacy Act training to member-library staff, volunteers, and board members, if the Cooperative has approved such alternative training in advance. The Cooperative will maintain a list of individuals who have successfully completed the Privacy Act training and may access the Cooperative’s database under this Policy.

No member-library staff, volunteers, or board members will allow anyone access to library records except as permitted by the Privacy Act and this Policy.

Member libraries are urged to further develop local policies and procedures governing the confidentiality of library records and patron privacy. In regard to information contained in the shared system (ILS), all such local policies shall at a minimum meet the requirements of the Privacy Act and this Policy. The Cooperative will serve as a resource for these issues, but is not a substitute for local legal counsel. Notwithstanding this Policy, each member library is responsible for training their staff to understand the legal requirements governing the confidentiality of library records and patron privacy.

Revisions:

This policy, adopted by the Lakeland Cooperative Board on June 10th, 2025 supercedes all previous policies.