

ALCONA COUNTY LIBRARY OPERATING POLICY AND PROCEDURES

CONFIDENTIALITY POLICY

It is the policy of the Alcona County 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 Alcona County Library as confidential, including name, address, phone 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 (name, address, phone number, etc.). This policy does not cover library circulation records protected by the Michigan Library Privacy Act. For information on nondisclosure of those records, see Privacy Policy.
2. Notification of the Library Director: Any employee of the Alcona County Library who receives a written 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 the library's attorney as necessary, notify the Board of Trustees 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: Request for this information must be in writing. 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 of registration from the persons identified in the records. Patron registration information is considered by the Board of Trustees 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 designed "Freedom of Information Act" request for release or disclosure of confidential patron registration information as follows:

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Alcona County Library Freedom of Information Act Denial of Request for
Information.

To: _____

You are hereby notified that your request of _____ has been denied because the information requested is exempted from disclosure pursuant of MCL 15.243(1)(a). The Alcona County Library maintains a policy of confidentiality of library patron records and will not release library patron names, addresses, telephone numbers or other registration information without the written permission of the library patron.

Under Michigan Law, you may commence an action in the Circuit Court to compel disclosure of public records (Freedom of Information Act, Section 10 MCL 15.240). We have attached a copy of the Freedom of Information Act for a full explanation of your right to seek judicial review under Section 10.

Library Director

Date

6. Court Order for Patron Information: The Library Director, after consultation and advice from the Library's 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) regarding information of a personal nature where the disclosure would constitute a clearly unwarranted invasion of privacy.

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