Reviewed and Approved: 07/15/2025

INDIAN RIVER AREA LIBRARY

Privacy and Confidentiality Policy

1. STATEMENT of PURPOSE

   It is the policy of the *Indian River Area Library* ("IRAL") to preserve the confidentiality and privacy of Library Records to the fullest extent permitted by law. A "Library Record" pursuant to the Michigan Library Privacy Act (Act 455 of 1982) and for the purposes of this policy means:

   "A document, record, or other method of storing information retained by a library that contains information that 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."

   For example, a Library Record would include, but not be limited to, patron circulation records. "Library Record" does not include non-identifying material that may be retained for the purpose of studying or evaluating the circulation of Library materials in general. The Library Director shall be responsible for determining whether a particular document meets the definition of "Library Record".

   IRAL takes seriously its obligation to protect the privacy of every patron, as required by law, even if this commitment to patron privacy may appear to cause inconvenience on occasion. To that end, Library Records or other confidential information shall be released or disclosed only as provided for herein or otherwise provided by Michigan or federal law.

2. COLLECTION of INFORMATION

   The *Indian River Area Library* strives to collect the least amount of personally identifiable information necessary. The Library attempts to avoid creating unnecessary records. IRAL keeps patron information as long as required by State of Michigan Record Retention and Disposal Schedule. IRAL avoids practices that may place patron information in public view without consent.

   Patrons may choose to submit their personal information in order to use some Library services. The personal information given to the Library will not be sold or licensed. IRAL will not disclose it to any third-party except those working under contract with the Library or as required by law.

   IRAL staff may collect the following information when a patron accesses Library services:

   - Name
   - Address

- Telephone Number
- Email Address
- Date of Birth
- Library Barcode Number
- Items currently checked out, requested, cancelled holds, and interlibrary loans (MelCat)
- Overdue Items
- Fine History
- Registration Information for Library Events
- Circulation History

Any personal information provided by a patron in email messages, web forms, in-person, via telephone, or other communications is only used for the purpose for which submitted.

3. ACCESS to INFORMATION

All Library patron records are considered confidential. Library records may only be disclosed to:

- Library staff performing job duties
- Cardholders upon proof of identity
- Parents or guardians of minor children
- Anyone with written consent of the cardholder
- Under legal compulsion, such as court order or subpoena

All Library patrons can view and update their personal information. This can be done online or in person. Proof of patron identity through photo identification may be required to update information in person. A PIN is required to change this information online.

4. PRIVACY for MINORS (UNDER 18 YEARS of AGE)

The privacy and safety of children (defined as under age 18) is very important to IRAL. Personal information collected by the Library is not shared with any Library-affiliated agency or vendor. Due to the ease with which children can share personal information on the Internet, IRAL encourages parents and caregivers to monitor their children's online activities.

IRAL affirms the legal and constitutional rights to privacy for patrons accessing materials and information from a Library. In compliance with the Children's Internet Protection Act (CIPA), it is the policy of the *Indian River Area Library* to:

A. Deter user access over its computer network to, or transmission of, inappropriate material via the Internet;
B. Deter unauthorized access and other unlawful online activity;
C. And deter unauthorized online disclosure, use, or dissemination of personal identification information of minors.

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet access, or other forms of electronic communications, to "harmful material" as required by the Children's Internet Protection Act.

5. IRAL WEBSITE and PUBLIC COMPUTERS

A. HTTPS: The Library's website (indianriverlibrary.org) is encrypted via HTTPS. All communications between the browser and the Library website are private. Patron accounts are also encrypted.

B. Data and Network Security: The Library uses software programs that monitor network traffic to identify unauthorized or malicious attempts to upload or change information or otherwise cause damage.

C. Public Computers and Connected Devices: The Library does not keep a record of user activities on any public computer or device made available for public use. Any records of browsing history and activities are removed manually by Library staff daily. Patrons are encouraged to ensure they are fully logged out and their accounts are removed from the computer or device after use. Patrons may request assistance in the removal of personally identifiable information on public devices by Library staff.

D. Email and Marketing: Patrons may choose to subscribe to IRAL's electronic mailing list that promotes Library news and activities. The mailing lists are serviced by an affiliated vendor. See below for information on how the Library works with third-party vendors.

E. Using Third-Party Vendors: The Library enters into agreements with third-parties to provide online services, digital collections, streaming media content, and more. When using some of these services, patrons may also connect with social networks and other users.

Affiliated third-party vendors may collect and share user information, including:

- Personally identifiable information users knowingly provide. This includes: registration of the site, when providing feedback and suggestions, requesting information, or creating shared content.
- Other information that could be used to identify a user. This includes: Internet Address (IP Address), search history, location-based data, and device information.
- Non-personally identifiable information. This includes: ad views, analytics, browser information (type and language), cookie data, date/time of request, demographic data, hardware/software type, interaction data, serving domains, page views, and the web page visited immediately prior to visiting the site.
- Other data as described in the vendor's privacy policy and terms of use.

For more information on these third-party services and the types of data that may be collected and shared, refer to the Terms of Use and Privacy webpage. Users may choose not to use these third-party vendors if they do not accept their terms of use and privacy policies. Please read them carefully.

The Library makes reasonable efforts to ensure that the Library's contracts, licenses, and offsite computer service arrangements reflect IRAL policies and legal obligations concerning patron privacy and confidentiality. IRAL contracts address restriction on the use, aggregation, sharing, and sale of information, particularly about minors.

The Library expects vendors to:

- Follow all privacy-related items in the vendor contract and licensing agreements.
- Conform to Library privacy policies.
- Provide a product which complies with CIPA.
- Refrain from collecting or sharing additional information about patrons, other than is needed for delivery of the Library services provided.
- Have a publicly posted privacy policy.

Library patrons must understand that when using remote or third-party vendor sites that there are limits to the privacy protection that IRAL can provide. The Library may also suggest links to external website that are not privacy-protected. Users are not required to give these sites their Library card or any other personally identifiable information in order to use their services.

6. LIBRARY SURVEILLANCE

A. Security Cameras: The *Indian River Area Library* strives to take reasonable precautions to ensure a safe and secure environment for its patrons and staff. Because Library staff is unable to provide direct supervision over all areas around the Library, video security cameras have been placed at selected locations in order to observe and record visible activities of persons visiting the Library grounds.

These video security cameras will be used where needed to discourage violations of the Library's **Code of Conduct Policy**, to assist Library staff in preventing the recurrence of any violations and, when necessary, to provide law enforcement assistance in prosecuting criminal activity. The purpose of this policy is to establish guidelines for the placement and use of video cameras, as well as the access and retrieval of recorded video images at the Library.

Cameras may be installed in locations where staff and patrons would not have an expectation of privacy. Examples include common areas of the Library such as entrances and parking areas, near book and media collections, and public seating areas. Cameras will NOT be installed in areas where staff and the public have a reasonable expectation of privacy, such as restrooms.

Security Camera Guidelines include:

- Cameras will not be installed for the purpose of monitoring staff performance and are not to be used to monitor content viewed by patrons.
- A sign will be posted at the Library's entrance informing the public that security cameras are in use.
- Staff and patron safety is the first priority in any threatening situation. The protection of Library property is of secondary importance.
- The Library has no obligation to monitor the cameras in real time. Because the cameras are not constantly monitored, Library staff and the public should continue to take

appropriate precautions for their safety and for the safety of their personal property. The Library is not responsible for the loss of property or personal injury.

- Images will typically be stored for a period of 14 calendar days. As new images are recorded, the oldest images will be automatically deleted. Authorization to view stored images may be granted only by the Library Director or their designee(s). If such authorization is granted, notice shall be given to the Library Board.
- At the instruction of the Director or their designee(s), selected video may be saved for as long as they determine is appropriate. This saved file becomes a "stored video record".
- A stored video record is considered a Library Record under the Michigan Library Privacy Act- Public Act 455 of 1982 (Privacy Act). The Privacy Act can be found at Michigan Compiled Laws 397.601 et. seq. and can be accessed at: www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-455-of-1982.pdf. Stored video records shall not be released contrary to the Privacy Act.
- Requests for the public for access to camera images will be considered in light of the provisions of the Privacy Act. Questions from the public may be directed to the Library Director.
- It is the policy of the *Indian River Area Library* to preserve the confidentiality and privacy of the registration and circulation records of its borrowers to the fullest extent permitted by law. Only the Director or their designee is authorized to receive or comply with requests from law enforcement officers. We speak with our legal counsel whenever possible before determining the proper response. Library records are not made available to any agency of the state, federal, or local government without a subpoena, warrant, court order, or other legal document requiring us to do so. These orders must show good cause and be in proper form. Library staff are instructed to refer any law enforcement requests to Library administrators.

B. Body-Worn Cameras

Local police and public safety officers generally wear body-worn cameras. Police agencies do not engage in regular surveillance or patrols to the *Indian River Area Library* but do respond to calls for service. They can record patron contacts, interviews, and other events when recording could provide value as evidence. An officer does not need your consent to record.

7. SUBPOENAS, COURT ORDERS, or OTHER LEGAL PROCESSES

Any employee of the Library who is served with a subpoena, court order, or other legal process to release or disclose any Library Record or other Library document from (1) a state or local law agency or (2) a federal law enforcement agency shall promptly notify the Library Director or their designee. If neither is available, the *Indian River Area Library* Board President shall be contacted.

A. Consultation with an Attorney: The Library Director, their designee, or Board President has the authority to consult with the Library Attorney regarding the sufficiency, scope, or any other matter related to the subpoena, court order, or other legal process.
B. Action by the Library Director: After review of the subpoena or court order, the Library Director may appear and be represented by counsel at a hearing on the request for records.
C. Opportunity to be Heard: Depending upon the type of subpoena or court order, the Library may appear and be represented by counsel at a hearing on the request for records.

D. Confidentiality: If a subpoena, court order, or other legal process is submitted to the Library, the Library shall keep the subpoena, court order, or other legal process confidential if required by court order, Michigan law, or federal law. To that end, the Library may not be able to inform the patron that their records were sought. The Library Board acknowledges that the Library Director, if required by non-disclosure or law, may not be permitted to inform the Board or its individual members that a local, state, or federal agency has sought or obtained requested records.

E. Consent: In compliance with the Michigan Library Privacy Act, a person who is liable for the payment or return of the materials identified in a Library Record or portion of a record may provide written consent for the release of that record. Further, a parent or legal guardian who signs to accept legal responsibility for return of their child's Library materials and accepts financial liability for that child's Library fines and other charges, may authorize the disclosure of the minor's Library Records by signing the disclosure and release statement granting consent on behalf of the minor.

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