

Section: Academic Administration

Section Number: 2.5.2

Subject: Library/Audio Visual- Circulation Records Privacy

Date of Present Issue: 08/03/01

Date of Previous Issues:
12/81, 10/87

POLICY:

An underlying principle in the mission of the University Library is to provide access to information and ideas from various points of view. The release of circulation records could have a detrimental effect upon the use of these materials and is contrary to the purposes of the Library and AV Center.

All records, formal and informal, in the Shouldice Library relating to individual student or patron registration, and circulation of materials by specific students or patrons are considered to be confidential and protected by law. The library will protect the privacy of any borrower who uses the library. The definition of circulation records includes interlibrary loan, media services, database searching, "electronic searching" and any other records which track or identify a borrower of media services materials, or a library user of any service.

The library shall not make inquiry into the purposes, for which a patron requests information, books, or other library materials, except insofar as the library may be helpful to such patrons in finding what the patron wants. The library shall not release any information about its students or patrons or their reading to individuals or to any private or public agency, local, state or federal, without an order from an appropriate court of law. In order to ensure due process and protect the rights of our clientele the following policy is enacted.

Privacy of Circulation Records Policy

1. The circulation records of the Library and AV Center are confidential--regardless of source of inquiry.
2. Circulation records shall not be made available to anyone except pursuant to such process, order, or subpoena as may be authorized by law.
3. Upon receipt of such process, order, or subpoena, consultation shall be made with the University legal officer to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance.
4. If the process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be corrected before any records are released. (The legal process requiring the production of circulation records shall ordinarily be in the form of *subpoena duces tecum* (bring your records), requiring the librarian to attend court or the taking of his or her deposition and may require him/her to bring along certain designated circulation records.)
5. Any threats, coercion, or unauthorized demands, (i.e., those supported by a process, order, or subpoena) concerning circulation records shall be reported to the Dean of the Library or the Executive Vice President and Provost.
6. Any problems relating to the privacy of circulation records, which are not provided for in the above sections, are to be referred to the Dean of the Library or to the Executive Vice President and Provost.

Information concerning unreturned overdue library materials checked out by individuals may be divulged or made public by the library in seeking to recover such materials.

This policy follows the recommendations of the Intellectual Freedom Committee of the American Library Association and Michigan Law (MCL 397.601 - 397.604).