

Data Privacy

Approved by: Library Board

Approved Date: April 16, 2008

Revised Date: April 5, 2017

Review Schedule: Every 5 years

Next Review Date: 2022

Data Practices Act

Minnesota has enacted legislation addressing the privacy of library records. Relevant points of the Data Practices Act regarding library records are as follows:

Private Data: Library Borrowers

Section 13.40 subd. 2:

(a) Except as provided in paragraph (b), the following data maintained by a library are private data on individuals and may not be disclosed for other than library purposes except pursuant to a court order.

(1) data that link a library patron's name with materials requested or borrowed by the patron or that link a patron's name with a specific subject about which the patron has requested information or materials; or

(2) data in applications for borrower cards, other than the name of the borrower.

(b) A library may release reserved materials to a family member or other person who resides with a library patron and who is picking up the material on behalf of the patron. A patron may request that reserved materials be released only to the patron.

Section 13.02, subd. 12:

"Private data on individuals" are data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of the data.

Relationship of Minors to Parents/Guardians

Section 13.02, subd. 8: "Individual" means a natural person. In the case of a minor or an incapacitated person as defined in section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

"Minor" means an individual under the age of 18. (Minnesota Statutes, sec. 645.451, subd. 2)