



## Data Privacy Policy

Reference: Adopted by the Library Board  
January 29, 2013  
Review: June 29, 2021

### 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:

#### Public vs. Private Data

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' means data which, by statute or federal law applicable to the data, is made:

- (a) not public; and (b) accessible to the 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 individual adjudged mentally incompetent, 'individual' includes 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, upon request by the minor if responsible authority determines that withholding the data would be in the best interest of the minor." 'Minor' is defined as an individual under the age of 18 (Minnesota Statutes 1992, sec. 645.451, subd. 2)