

## Enabling Patron Loan History

For INFOhio libraries using SirsiDynix's Integrated Library System (ILS) who are interested in activating the feature which tracks patrons' loan history, INFOhio has received the following legal clarification as it relates to [Family Educational Rights and Privacy Act \(FERPA\)](#) and [Ohio Revised Code: 149.432 Releasing library record or patron information.](#)

- Any PreK-12 library belonging to an education entity (i.e. school system) receiving federal funding from the U.S. Department of Education is beholden to FERPA requirements. As such, patron loan tracking is permissible assuming that all the education entities' employees with access to a student's library history have a legitimate educational interest and so long as the information does not leave the education entity. An annual FERPA notice to parents is still required. However, this should already be an established practice and would not need to be changed to reflect tracking of library loans and use of that data within the education entity.

For libraries using INFOhio's SirsiDynix ILS:

- When the ILS data for one education entity **is separated** from any other non-related education entity, thus preventing one district's employees from viewing another district's patron loan data, **the education entity may enable patron charge history** without any further patron/parental consent required.
- When the ILS data for one education entity **is not separated** from any other non-related education entity, thus allowing one district's employees to view another district's patron loan data, these education entities **may not** enable patron charge history for a patron without first obtaining patron/parental consent to share the data with an outside agency. This implies parental consent for students under 18 years of age or older in certain permissible situations.

NOTE: Libraries uncertain of their database setup should contact their ITC INFOhio Provider.

- Any PreK-12 library belonging to an education entity (i.e. school system) not receiving federal funding from the U.S. Department of Education is exempt from FERPA requirements. The education entity's tracking and use of patron information for educational and/or administrative purposes then falls within the acceptable guidelines of Ohio Revised code 149.432(B)(4) allowing the education entity to enable patron charge history in INFOhio's ILS system without any further patron/parental consent required.

When tracking is turned on, it would be permissible for school administrators, library staff, teachers, parents and patrons within the educational entity to view the data subject to the above guidelines. Law enforcement would need to obtain a warrant.

Educational entities should consult their own legal counsel if further legal clarification is required.