

Compliance with the Michigan Library-Privacy Act Policy

It is the policy of the Lenox Township Library to preserve the privacy of circulation records of its patrons to the fullest extent permitted by law. To that end, the circulation records of the Library shall be released or disclosed only as provided in this policy.

The Library staff shall not release library records to any person or entity other than the patron named in the record (i.e. the library cardholder). The Michigan Library Privacy Act prohibits disclosure to all third parties, including parents or other persons who have signed to accept financial responsibility for the cardholder.

- 1. Records protected by the Michigan Library Privacy Act:** The Michigan Library Privacy Act provides that Library records may not be disclosed to third parties unless the library has received written permission of the patron. "A library record is not subject to the disclosure requirements of the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws. Unless ordered by a court after giving the affected library notice of the request and an opportunity to be heard on the request, a library or an employee or agent of a library shall not release or disclose a library record or portion of a library record to a person without the written consent of the person liable for payment for or return of the materials identified in the library record." "Library record" does not include non-identifying material such as circulation statistics.
- 2. Notification of the Library Director:** Any employee of the Lenox Township Library who receives a request or who is served with a subpoena, court order or other legal process, to release or disclose any registration record shall promptly notify the Library Director.
- 3. Action by the Library Director:** The Library Director, in a timely manner, shall review all requests and orders consult with an attorney as necessary, and respond in an appropriate manner to each such request or court order in accordance with this policy.
- 4. Requests for Library Records:** The Library Director will deny in writing, all requests for the release or disclosure of library records as defined under the Michigan Library Privacy Act, unless the Library Director has received the named patron's written consent for such release or disclosure.
- 5. Court order for Release of Library Records:** The Library Director shall comply fully with a court order to release or disclose library records if that court order was properly obtained under Section 3(2) of the Library Privacy Act. The court may issue an order for disclosure only "after giving the affected library notice of the request and an opportunity to be heard thereon." The authority for this policy is the Michigan Library Privacy Act. Library records protected by the Michigan Library Privacy Act are exempt from disclosure under the Freedom of Information Act.