



## **Library Privacy Act**

All records, formal and informal, in the Romeo District Library – both branches - relating to patron registration and the subsequent circulation by patrons of materials provided by the Library are considered to be confidential in nature.

A library record is not subject to disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246

In order to prevent an unreasonable invasion of personal privacy, the contents of registration and circulation records shall not be made available to anyone except under the written order of the Library Director, such order having been issued pursuant to a proper legal process, order, or subpoena under the law.

Upon receipt of any process, order, or subpoena, the person named and/or served shall immediately report to and consult with the Library Director and the legal counsel of the Romeo District Library to determine if such process, order, or subpoena is proper and in full compliance with proper legal authority. In the event the legal process fails to sufficiently identify or name in specific terms or specifications the records on file in respect to an identified library patron, the request is considered to be defective and not binding upon the Library and its personnel, except under further due process of law.

Any problems or conditions relating to the privacy of a patron through the records of the Romeo District Library which are not specified in the policy statement shall be referred to the Library Director, who, after study and consultation with the Library Board and/or legal counsel, shall issue a written decision as to whether to heed the request for information.

This policy is based on "Policy on Confidentiality of Library Records", adopted by the Council of the American Library Association, Library Privacy Act Amended Public Act 188 of 1996 was signed into law to amend the Michigan Library Act. The Act now permits disclosure of library records if the library receives "written consent of the person liable for payment for or return of the materials identified in that library record." MLC 397.603 (2). If a parent or legal guardian signs to accept legal responsibility for that disclosure of that child's library records.

Reviewed and approved by Romeo District Library Board – February 2022