

TEINERT MEMORIAL LIBRARY

Confidentiality Policy

APPROVED BY	DATE
Teinert Memorial Library Board	November 09, 2022
Bartlett City Council	November 14, 2022

Principles and Objectives

1. Purpose: Teinert Memorial Library patrons have the legal right to privacy in the use of library resources.
2. Rights: In accordance with the American Library Association’s Code of Ethics: “We protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted.” Use of the library’s public computers is likewise confidential and falls under the same protection.
3. Individual Responsibility: By default, the library does maintain prior reading lists on patron accounts. A patron may disable this feature on their account by making a request to library staff. Library card holders are responsible for the use of their card, as presentation of a library card assumes permission.
4. Library Responsibility: The library follows retention record requirements regarding material containing confidential patron information. Library staff will follow proper procedures to protect library user confidentiality.

Legal Compliance

In accordance with Texas Government Code Section 552.124 of the Public Information Act addressing records of a library or library system, Teinert Public Library protects the privacy of library patrons by prohibiting access to patron information by third parties. Information about library materials on loan, reserved, or used in the library, as well as personal information is restricted to the cardholder and will not be disclosed to a third party except:

- As reasonably necessary for the operation of the library;
- To persons authorized in writing by an adult patron and in possession of that patron’s library card; or
- To a law enforcement agency or a prosecutor under a warrant, court order or subpoena in accordance with Texas Government Code Section 552.124; or
- Under a valid search warrant as provided under the provisions of the U.S.A. Patriot Act.

The City of Bartlett is responsible for handling such requests in consultation with the City Attorney.

Activity Not Protected

Library patrons may conduct only legal activity while using library resources and services. Nothing in this policy prevents the library from exercising its right to enforce **The Code of Conduct**. Staff are authorized

to take immediate action to protect the security of library users, staff, facilities, computers, and the network.

The library may electronically monitor computers and external access to its network and reserves the right to do so when a violation of **The Computer & Internet Policy**, laws or other library policy is suspected.

Texas Statutes Section 552-124 Exception: Records of Library or Library System

(a) A record of a library or library system, supported in whole or on part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service is excepted from the requirements of Section 552.021 unless the record disclosed:

1. Because the library or library system determines that disclosure is reasonably necessary for the operation of the library or library system and the record is not confidential under other state or federal law.
2. Under Section 552.023; or
3. To a law enforcement agency or a prosecutor under a court order or subpoena obtained after showing to a district court that:
 - a. Disclosure of the record is necessary to protect the public safety; or
 - b. The record is evidence of an offense or constitutes evidence that a particular person committed an offense.

(b) A record of a library or library system that is excepted from required disclosure under this section is confidential.