

Montgomery County Memorial Library System Confidentiality of Library Records

Policy Statement

Patron Privacy and Confidentiality

Reference services are confidential. The reference interview should be conducted as discreetly and quietly as possible to preserve confidentiality. Staff must not discuss a customer's questions or reading habits except in the course of conducting library business.

Summer Reading Program information is confidential. Reading logs should be taken home by the patron and updated by the patron. Any information kept at the branch must be kept away from the public areas. There should be no public access to a customer's reading logs.

Volunteers as well as staff are responsible for keeping these records confidential.

Distribution of confidential information is a misdemeanor under the Texas Public Information Act.

Section 552.352 Distribution of Confidential Information

(a) A person commits an offense if the person distributes information considered confidential under the terms of this chapter

(b) An offense under this section is a misdemeanor punishable by:

- (1) a fine of not more than \$1000;
- (2) confinement in the county jail for not more than six months;
- (3) both the fine and confinement.

(c) A violation under this section constitutes official misconduct

Confidential records must be released to a law enforcement officer or prosecutor, if a subpoena or court order is received. If the subpoena or court order requires immediate compliance, notify the Library Director or Assistant Director immediately. If the date on the court order or subpoena is in the future, notify the Library Director or Assistant Director and fax or deliver the document the same day it is received.

Any other request for information under the Texas Public Information Act or the Texas Open Records Act should be faxed or delivered to the Library Director or Assistant Director the same day it is received. This will be forwarded to the County Attorney for disposition.

Document Review Dates

Document Name	Checking Out Materials
Policy Basis	MCMLS Mission Statement
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