

Texas Administrative Code

[TITLE 13](#)

CULTURAL RESOURCES

[PART 1](#)

TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

[CHAPTER 2](#)

GENERAL POLICIES AND PROCEDURES

[SUBCHAPTER A](#)

PRINCIPLES AND PROCEDURES OF THE COMMISSION

RULE §2.4

Principles

(a) Confidentiality of Library Circulation Records. Library circulation records are deemed confidential by constitutional law and are exempted from disclosure under the Public Information Act (Government Code, Chapter 552). No member, officer or employee of the commission will reveal its circulation records or any other such record that would convey the identity of a library patron and/or connect an individual with specific items used by that individual, or with any indication of a subject of inquiry or attention. Such records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power. The commission and its employees shall resist the issuance or enforcement of such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

(b) Equal Employment Opportunity. The commission's policy is to recruit, test, hire, promote, and transfer in all job categories without regard to race, color, national origin, religion, sex, age, or handicap. All other personnel actions, such as compensation, benefits, training and education, will also be administered without regard to race, color, national origin, religion, sex, age or handicap. Decisions regarding employment and promotions will be based upon an individual's qualifications for the position.

(c) Accessibility. The commission affirms that no otherwise qualified handicapped individual in Texas shall by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of the Library and Archives Commission.

(d) Public Information. The commission's policy is to comply in spirit as well as technically with the Public Information Act (Government Code, Chapter 552) and directs its staff to fully disclose any public information that may be requested.

(e) Library Bill of Rights. The commission endorses the principles articulated in the Library Bill of Rights, a statement of the American Library Association. The American Library Association affirms that all libraries are fora for information and ideas, and that the following basic policies should guide their services.

(1) Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of origin, background, or views of those contributing to their creation.

(2) Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

(3) Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

(4) Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

(5) A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

(6) Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

(f) Freedom to Read. The commission endorses the principles articulated in Freedom to Read, a joint statement of the American Library Association and the Association of American Publishers as follows:

(1) It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority.

(2) Publishers, librarians, and booksellers do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as standard for determining what books should be published or circulated.

(3) It is contrary to the public interest for publishers or librarians to determine the acceptability of a book on the basis of the personal history of political affiliations of the author.

(4) There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

(5) It is not in the public interest to force a reader to accept with any book the prejudgment of a label characterizing the book or author as subversive or dangerous.

(6) It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.

(7) It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.

Source Note: The provisions of this §2.4 adopted to be effective July 17, 1997, 22 TexReg 6431; amended to be effective May 12, 2004, 29 TexReg 4463

[List of Titles](#)

[Back to List](#)

[HOME](#)

[TEXAS REGISTER](#)

[TEXAS ADMINISTRATIVE CODE](#)

[OPEN MEETINGS](#)