

STATE OF NEW YORK

9537

IN ASSEMBLY

January 14, 2026

Introduced by M. of A. SIMONE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to enacting the "freedom to read act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "freedom to read act".

3 § 2. The education law is amended by adding a new section 414-a to
4 read as follows:

5 § 414-a. School library materials. 1. (a) Each board of education
6 shall adopt a written policy for the reconsideration of school library
7 materials. Such policy shall explain: (i) how complaints regarding
8 library materials may be submitted; (ii) who is responsible for review-
9 ing complaints; and (iii) how a final decision is made.

10 (b) A policy adopted pursuant to paragraph (a) of this subdivision
11 shall include a general timeline for the review procedure and provide
12 for the creation of a reconsideration committee to review complaints
13 regarding school library materials. Such reconsideration committee shall
14 be composed of at least one of each of the following, and each which
15 shall be affiliated with the relevant school district, and may be a
16 standing committee at the discretion of the district: (i) a certified
17 librarian or library media specialist; (ii) a teacher; (iii) a school
18 administrator; (iv) a parent; and (v) where possible, a student.

19 (c) A policy adopted pursuant to paragraph (a) of this subdivision
20 shall further provide for a final appeal to the board of education. Such
21 policy shall also provide notice on the right to file appeals to the
22 commissioner pursuant to section three hundred ten of this chapter. All
23 decisions shall follow the school district's written policies and shall
24 not be based solely on disagreement with the ideas, viewpoints, or iden-
25 tities represented in the material. Such policy shall be made available
26 on the school district's website.

27 2. No library material shall be removed or restricted solely because
28 of disagreement with the themes, ideas, or viewpoints expressed in it or

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD14305-02-5

1 because of the identities of the author, subject, or characters. Removal
2 or restriction shall comply with the school district's adopted policies
3 and the material shall not be removed from its location within the
4 library and shall remain available to reserve, check out, or access
5 while it is under review.

6 3. No library media specialist or other school employee shall face
7 disciplinary action for selecting, retaining, or recommending materials
8 in reasonable reliance on the school district's adopted policies. This
9 shall not limit the superintendent's or board of education's general
10 supervisory authority over employees, as long as such supervision is not
11 based on disagreement with the viewpoints in materials.

12 4. The commissioner, in consultation with the state librarian and
13 other stakeholders, shall promulgate regulations for the implementation
14 of this section and shall develop one or more model policies for use by
15 school districts.

16 5. School library systems, as established pursuant to section two
17 hundred eighty-two of this chapter, shall develop and make available
18 model policies for use by school districts. Such model policies may
19 include sample collection-development policies and sample reconsider-
20 ation procedures. School districts may adopt or adapt such models.

21 § 3. This act shall take effect on the first of July next succeeding
22 the date on which it shall have become a law. Effective immediately, the
23 addition, amendment and/or repeal of any rule or regulation necessary
24 for the implementation of this act on its effective date are authorized
25 to be made and completed on or before such effective date.