STATE OF NEW YORK

9537--B

IN ASSEMBLY

January 14, 2026

Introduced by M. of A. SIMONE, PAULIN, SCHIAVONI, STECK, SHIMSKY, R. CARROLL, GONZALEZ-ROJAS, DINOWITZ, LEE, WRIGHT, SIMON, SEAWRIGHT, RAGA, KASSAY, BRONSON, BORES, LEVENBERG, LUNSFORD, REYES, OTIS -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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:

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

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

§ 414-a. School library materials. 1. (a) Each board of education shall adopt a written policy for the reconsideration of school library materials and shall make such policy available on the school district's website. Such policy shall include at a minimum, but shall not be limited to:

(i) procedures for how complaints regarding library materials may be submitted;

(ii) a timeline for the review of a challenged library material;

(iii) provisions for the creation of a reconsideration committee to review complaints regarding school library materials;

(iv) procedures outlining the review process for a challenged library material, consistent with the requirements of this section;

(v) procedures for removing or restricting library materials following a final decision by the board of education that such library materials should be removed or restricted to certain grade levels, including but not limited to a timeline for implementing the removal or restriction recommendation of a reconsideration committee; and

(vi) procedures for providing notice to an aggrieved party of the right to appeal to the board of education following a recommendation

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

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made by a reconsideration committee, and of the right to appeal to the commissioner pursuant to section three hundred ten of this chapter following a decision of the board of education.

(b) (i) Each reconsideration committee established pursuant to paragraph (a) of this subdivision shall be composed of at least one of each of the following members, and each such member shall be affiliated with the relevant school district: (1) a certified librarian or library media specialist; (2) a teacher; (3) a school administrator; (4) a parent or guardian of a current student in such district; and (5) where possible, a student currently enrolled in such district, unless such district does not operate a high school.

(ii) Each reconsideration committee shall issue a written recommendation in accordance with the policy adopted pursuant to paragraph (a) of this subdivision.

(iii) A reconsideration committee may be a standing committee at the discretion of the school district.

(c) All recommendations of a reconsideration committee shall follow the school district's written policies adopted pursuant to paragraph (a) of this subdivision.

2. (a) No library material shall be removed or restricted based solely on disagreement with the ideas, viewpoints, or identities represented in such library material or because of the identities of such library material's author, subject, or characters.

(b) Any library material subject to review by a reconsideration committee shall remain available to reserve, check out, or access pending a recommendation by such reconsideration committee and any appeal of the same.

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

4. The commissioner, in consultation with the state librarian and other stakeholders, shall promulgate any regulations necessary for the implementation of this section and shall develop one or more model policies for use by school districts and school library systems. Such regulations shall be limited to carrying out the provisions of this section and shall not prescribe or require specific outcomes in individual reconsideration decisions made by boards of education. Such regulations and model policies shall be consistent with and shall not diminish or narrow the protections established by this section. Model policies developed pursuant to this subdivision shall be advisory in nature and may be adopted, in whole or in part, or adapted by school districts consistent with this section.

5. (a) School library systems, as established pursuant to section two hundred eighty-two of this chapter, shall support school districts in implementing this section, including assistance in adopting policies or tailoring model policies consistent with this section and providing continuing education and professional development to school librarians, administrators, and district leaders regarding statutory obligations governing school library materials.

(b) School library systems may provide guidance, training, or professional development to assist school districts and school personnel in

implementing this section, consistent with existing programs, resources, and offerings.

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