

# STATE OF NEW YORK

8630

2025-2026 Regular Sessions

## IN SENATE

December 22, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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-

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

LBD14305-02-5

1 ties represented in the material. Such policy shall be made available  
2 on the school district's website.

3 2. No library material shall be removed or restricted solely because  
4 of disagreement with the themes, ideas, or viewpoints expressed in it or  
5 because of the identities of the author, subject, or characters. Removal  
6 or restriction shall comply with the school district's adopted policies  
7 and the material shall not be removed from its location within the  
8 library and shall remain available to reserve, check out, or access  
9 while it is under review.

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

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

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

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