
OLR Bill Analysis

sHB 5417

AN ACT CONCERNING PUBLIC SCHOOL LIBRARIES.

SUMMARY

This bill requires local and regional boards of education, by January 1, 2025, to establish a policy for evaluating any library material that is subject to removal or restricted access or that is the subject of a complaint. The bill specifies the policy's minimum requirements and requires school boards to review the policy and make necessary updates at least every five years. Under the bill, the policies do not apply to library collection materials being cleared because they are no longer useful or classroom instruction materials.

Relatedly, the bill requires school boards to provide a reason for removing or restricting access to any library material in a school library's or media center's collection as a result of the policy. It also prohibits boards from removing or restricting material for specified reasons (e.g., partisan content or views contained in any library material).

EFFECTIVE DATE: July 1, 2024

POLICY REQUIREMENTS

Applicability

Under the bill, the policy applies to library material that is the subject of a "qualified complaint" or is otherwise subject to removal (i.e., deliberately taking it out of the collection) or restricted access (i.e., limiting circulation or availability). A qualified complaint is a request by an enrolled student, or the student's parent or guardian, to remove or restrict access to library material in the school library or media center.

Under the bill, "library material" means books, periodicals or any

other sources, in print or nonprint format, available for reference purposes or to be circulated for voluntary inquiry by students; it excludes materials required as part of classroom instruction. Additionally, the bill does not apply to the process of clearing a library collection of material that is no longer useful.

Content

The bill requires school boards to adopt a policy by January 1, 2025, that has at least the following:

1. a complaint form, which must be posted on the website of each school under the board's jurisdiction, and a complaint-filing process;
2. a library material review committee (see below), including the (a) committee's evaluation process and (b) timeframe and manner in which it must respond to qualified complaints; and
3. requirements that (a) no library material be removed or subjected to restricted access unless the committee has completed its evaluation and made a final decision to remove or restrict the material and (b) final decisions be posted on the board's website.

The bill requires that the library material review committee include at least the following: (1) the school principal, (2) the director of curriculum or a person in an equivalent position who is employed by the board, (3) a certified school librarian (employed by the board or another school board in the state), (4) the district's superintendent or his or her designee, and (5) one or more teachers employed by the board.

Prohibited Reasons for Removal or Restrictions

The bill requires school boards to provide a reason for removing or restricting access to any library material in a school library's or media center's collection as a result of the process established in the board's policy. It prohibits boards from removing or restricting library material for the following reasons:

1. partisan content or views contained in any library material;

2. the race, nationality, gender identity, sexual orientation, or political or religious views of (a) an author or (b) a protagonist or other characters or as otherwise represented in the library material;
3. the personal discomfort, morality, or political or religious views of a board member or members;
4. an author's point of view on local, national, or international current events; and
5. the content's relating to sexual health and addressing physical, mental, emotional, or social dimensions of human sexuality, including puberty, sex, and relationships, based on the age, development, and grade level of the students.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 28 Nay 17 (03/20/2024)