



The Voice of the Library Community

New York Library Association

6021 State Farm Road, Guilderland, NY 12084
518-432-6952 / 518-427-1697 FAX
info@nyla.org
www.nyla.org

S.1099 (May) / A.7777 (Simone)

An act to amend the education law, in relation to enacting the "Freedom to Read Act"

The New York Library Association (NYLA) supports the above referenced legislation.

If enacted, this bill would require the Commissioner of Education to develop laws and rules that ensure school libraries and library staff are empowered to curate and develop collections that provide students with access to the widest array of developmentally appropriate materials available to their district.

Student access to diverse perspectives and challenging ideas is essential for providing robust education that prepares learners to be active, informed members of their communities. Regrettably, access is not always guaranteed.

In 2023, the most recent full year of data available, the American Library Association documented 1,247 attempts to censor 4,240 unique library titles and resources across the United States, a 65% increase from 2,571 titles in 2022. Of these campaigns, 54% are reported to have targeted books, programs, displays, and other materials in schools and school libraries. Titles representing the voices and lived experiences of LGBTQIA+ and BIPOC individuals comprised 47% of those challenged.

New York's libraries and librarians are besieged by these efforts.

In April of 2024, Commissioner of Education Betty A. Rosa acknowledged that attempts to limit access to school library materials in New York are part of a "dangerous nationwide trend of accusations used to intimidate and threaten schools and librarians into denying access to books on the basis of their content and the identities of their authors." This recognition was recorded in Commissioner Rosa's dismissal of an appeal attempting to remove library materials from the Clyde-Savannah School District in Western New York.

Fortunately, many of New York's school districts have voluntarily adopted policies for the acquisition and reconsideration of library materials that have helped to safeguard student access to varied ideas and points of view. When effectively crafted and executed, these policies ensure



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that contested materials are evaluated as whole works according to their educational, literary, and artistic value rather than decontextualized excerpts. In the previously mentioned Clyde-Savannah CSD appeal, Commissioner Rosa credited the district's adherence to such a policy in allowing the district to reach a "reasoned conclusion" to retain challenged materials that held up under state review.

Nevertheless, such policies are not required and, where in place, are not obligated to protect the scope of materials available to students.

The requirement outlined in this legislation would extend the protection offered by these policies statewide, as well as establish a baseline principle of intellectual and perspectival inclusivity to which all districts must adhere.

Furthermore, by empowering library staff like certified school library media specialists to lead collection development, schools benefit from the expertise these individuals have as specialists in both the fields of education and library science. Their training allows them to curate collections that offer broad ranges of perspectives and are aligned to curriculum, representative of students and their interests, and differentiated according to the full range of needs and abilities found in student populations.

For these reasons, the New York Library Association urges the Legislature to pass S.1099, the Freedom to Read Act.

For additional information, please contact Max Prime at the New York Library Association at 518.432.6952.