



The Voice of the Library Community

New York Library Association

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## **S.1100 (May) / A.3119 (Kelles)**

*An act to amend the education law, in relation to requiring certain libraries to adopt policies ensuring that library staff are able to curate and develop collections, services, and programming that reflect the interests of all people of the community that library serves.*

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

If enacted, this bill would require every free association, public, and hospital library or, with the advice of the appropriate tribal government and library board of trustees, Indian Library, which receives any portion of the moneys appropriated by the state to aid such libraries, to adopt policies and procedures that ensure library staff are able to curate and develop collections, services, and programming that reflect the interests of all people of the community that the library serves.

As institutions embedded in communities across New York, public libraries form the bedrock of intellectual freedom in our state. Highly trained librarians with specialized training cultivate resources that provide for the interest, information, and enlightenment of all patrons. They preserve free access to materials and programming that represent all points of view on current and historical issues without exclusion due to the origin, background, or beliefs of their creators.

Unfortunately, across the United States this tradition of intellectual freedom is under attack.

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. Whereas previous efforts to restrict library materials, services, and programs focused largely on the collections of school libraries, last year saw a startling 92% increase in the number of titles targeted for censorship in public libraries over 2022. These actions now account for 46% of all book challenges nationwide. Titles representing the voices and lived experiences of LGBTQIA+ and BIPOC individuals comprised 47% of those challenged.

Closer to home, Commissioner of Education Betty A. Rosa recently acknowledged that this national threat extends to New York. Writing in an April 2024 decision dismissing an appeal seeking the removal of materials from a school library in Wayne County, Commissioner Rosa stated that the objections in the case were emblematic 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.”

Fortunately, many of New York’s public libraries have voluntarily adopted policies for the acquisition and reconsideration of library materials that have helped to safeguard access to varied ideas and points of view. When effectively crafted and executed, these policies ensure that contested materials and programs are evaluated as whole works according to their merits rather than as decontextualized excerpts that might offend the personal sensibilities of some, but not all, library patrons.

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

The requirement outlined in this legislation would extend the protection offered by these policies statewide. Rather than merely mandating that libraries institute policies to address the issues in question, this act would prevent the adoption of adverse or inadequate policies by establishing a baseline principal of intellectual and perspectival inclusion to which they must adhere.

As a state, we must do all that we can to protect intellectual freedom and preserve public libraries as centers of culture, education, and the free exchange of ideas unimpeded by the undue influence of any citizens’ personal partisanship or beliefs.

For these reasons, the New York Library Association urges the Legislature to pass S.1100/A.3119.

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