

**Proposed Substitute
Bill No. 1271**

January Session, 2025

LCO No. 5883

AN ACT CONCERNING SCHOOL AND PUBLIC LIBRARIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2 (1) "Library and other educational material" means any material
3 belonging to, on loan to or otherwise in the custody of a school library
4 media center, including, but not limited to, nonfiction and fiction books,
5 magazines, reference books, supplementary titles, multimedia and
6 digital material, software and other material not required as part of
7 classroom instruction.

8 (2) "School library staff member" means a school library media
9 specialist, school librarian, any certificated or noncertificated staff
10 member whose assignment is in the school library or any individual
11 carrying out or assisting with the functions of a school library media
12 specialist or school librarian.

13 (3) "Individual with a vested interest" means any school staff member
14 employed by a local or regional board of education, parent or guardian
15 of a student currently enrolled in a school at the time a reconsideration
16 form is filed under subsection (e) of this section and any student
17 currently enrolled in a school at the time a reconsideration form is filed
18 under subsection (e) of this section.

19 (4) "Remove" means deliberately taking library material out of a
20 library's collection. "Remove" does not include the process of clearing
21 such collection of any materials that are no longer useful.

22 (b) Each local and regional board of education, after consulting with
23 the superintendent of schools, the director of curriculum and a librarian
24 employed by such board, shall adopt a (1) collection development and
25 maintenance policy, (2) library display and program policy, and (3)
26 library material review and reconsideration policy. Each such policy
27 shall ensure that all library materials are evaluated and made accessible
28 in accordance with the protections against discrimination set forth in
29 section 10-15c of the general statutes, including, but not limited to,
30 discrimination based on race, color, sex, gender identity, religion,
31 national origin, sexual orientation or disability. In developing each such
32 policy, the board shall have control over the content of each such policy,
33 provided such policies are in accordance with the provisions of this
34 section. Each local and regional board of education shall review, and
35 update as necessary, each such policy every five years.

36 (c) The collection development and maintenance policy shall, at a
37 minimum:

38 (1) Recognize that library and other educational materials should (A)
39 be provided for the interest, information and enlightenment of all
40 students, and (B) represent a wide range of varied and diverging
41 viewpoints in the collection as a whole;

42 (2) Require student access to age-appropriate and grade-level-
43 appropriate material, and provide access to library and other
44 educational material that is relevant to the research, independent
45 reading interests and educational needs of students based on a student's
46 age, development or grade level;

47 (3) Recognize the importance of the school library media center as a
48 place for voluntary inquiry, the dissemination of information and ideas
49 and the promotion of free expression and free access to ideas by
50 students;

51 (4) Acknowledge that a school library media specialist is
52 professionally trained to curate and develop a collection that provides

53 students with access to the widest array of age-appropriate and grade-
54 level-appropriate library and other educational material; and

55 (5) Establish a procedure for a certified school library media specialist
56 to continually review library and other educational material within a
57 school library media center using professionally accepted standards,
58 which shall include, but need not be limited to, the material's relevance,
59 physical condition of the material, availability of duplicates or copies of
60 the material, availability of more recent age-appropriate or grade-level-
61 appropriate material and continued demand for the material.

62 (d) The library display and program policy shall, at a minimum:

63 (1) Recognize that library displays should (A) be provided for the
64 interest, information and enlightenment of all students, (B) represent a
65 wide range of varied and diverging viewpoints, (C) require student
66 access to age-appropriate and grade-level-appropriate content, and (D)
67 provide access to content that is relevant to the research, independent
68 interests and educational needs of students;

69 (2) Recognize the importance of displays and student programs as
70 resources for voluntary inquiry and the dissemination of information
71 and ideas and to promote free expression and free access to ideas by
72 students; and

73 (3) Acknowledge that a school library media specialist is
74 professionally trained to curate and develop displays and programs that
75 provide students with access to the widest array of age-appropriate and
76 grade-level-appropriate library and other educational material.

77 (e) The material review and reconsideration policy shall, at a
78 minimum:

79 (1) Establish a process for individuals with a vested interest to
80 challenge any library and other educational materials, display or
81 student program;

82 (2) Limit consideration of requests to reconsider and remove
83 material, displays or student programs to the parents and guardians of
84 students and eligible students currently enrolled in the school or school
85 district;

86 (3) Require that no library and other educational material, display or
87 program shall be removed from library media centers, or programs be
88 cancelled, because of the origin, background or viewpoints expressed in
89 such material, display or program, or because of the origin, background
90 or viewpoints of the creator of such material, display or program;

91 (4) Require that library and other educational materials, displays and
92 student programs may only be excluded for legitimate pedagogical
93 purposes or for professionally accepted standards of collection
94 maintenance practices as adopted in the collection development and
95 maintenance policy or the display and program policy;

96 (5) Require that any process for petitioners to challenge any library
97 and other educational material, display or student program shall neither
98 favor nor disfavor any group based on protected characteristics;

99 (6) Provide for the creation of a request for reconsideration form that
100 may be submitted by an individual with a vested interest to the
101 principal of the school in which the library and other educational
102 material is being challenged to initiate a review of such material. The
103 form shall require such individual to specify which portion or portions
104 of such material such individual objects to and provide an explanation
105 of the reasons for such objection. Such individual shall not submit a
106 request for reconsideration form without including such individual's
107 full legal name, address and telephone number;

108 (7) Require the principal, or the principal's designee, to promptly
109 forward the request for reconsideration to the superintendent of schools
110 for the school district. The superintendent, or the superintendent's
111 designee, shall appoint a review committee consisting of: (A) The
112 superintendent, or the superintendent's designee, (B) the principal of the

113 school in which the library and other educational material is being
114 challenged, or the principal's designee, (C) the director of curriculum,
115 or a person in an equivalent position, employed by such board, (D) a
116 representative from the local or regional board of education, (E) at least
117 one grade-level-appropriate teacher familiar with the library material,
118 provided the teacher selected is not the individual who submitted the
119 form, (F) a parent or guardian of a student age thirteen years or older
120 enrolled in the school district, provided the parent or guardian selected
121 is not the individual who submitted the form, (G) a parent or guardian
122 of a student age fourteen years or older enrolled in the school district,
123 provided the parent or guardian selected is not the individual who
124 submitted the form, and (H) a certified school librarian employed by
125 such board or employed by another board of education in the state. In
126 cases where such form is submitted by a student enrolled in grades nine
127 to twelve, inclusive, and when appropriate and at the discretion of the
128 superintendent, a student enrolled in grades nine to twelve, inclusive,
129 may serve on the review committee if such student did not submit the
130 reconsideration form, provided the superintendent consults with the
131 principal of the school involved in such reconsideration request prior to
132 making this determination whether to include such student on the
133 review committee;

134 (8) Require that any library and other educational material being
135 challenged remain available in the school library media center
136 according to such material's catalog record and be available for a
137 student to reserve, check out or access until a final decision is made by
138 the review committee;

139 (9) Require the review committee to evaluate the request for
140 reconsideration form, read the challenged material in its entirety,
141 evaluate the challenged material against the school district's collection
142 development and maintenance policy and make a written decision on
143 whether or not to remove the challenged material not later than sixty
144 school days from the date of receiving such request. The review
145 committee shall provide a copy of the committee's decision and report

146 to the individual with a vested interest who submitted the form and to
147 the principal of the school;

148 (10) Permit the individual with a vested interest who submitted the
149 request for reconsideration form to appeal the review committee's
150 decision to the local or regional board of education for the school
151 district. The board, after evaluating the challenged material under the
152 school district's collection development and maintenance policy, shall
153 (A) provide a written statement of the reasons for the reconsideration of
154 or refusal to reconsider the library and other educational material, (B)
155 provide any final decision that is contrary to the decision of the review
156 committee, and (C) publish such reasons or decision on the Internet web
157 site of the school district;

158 (11) Provide that once a decision has been made by the review
159 committee on any library and other educational material, such material
160 cannot be subject to a new request for review and reconsideration for a
161 period of three years;

162 (12) Permit a school district to consolidate any requests for review
163 and reconsideration of the same challenged library and other
164 educational material; and

165 (13) Prohibit the removal, exclusion or censoring of any book on the
166 sole basis that a person with a vested interest finds such book offensive.

167 (f) Any school library media specialist or school library staff member
168 who, in good faith, implements the policies described in this section
169 shall be immune from any liability, civil or criminal, that might
170 otherwise be incurred or imposed and shall have the same immunity
171 with respect to any judicial proceeding that results from such
172 implementation.

173 (g) Any school library media specialist, school library staff member,
174 teacher, administrator, school staff member or local or regional board of
175 education member may bring an action for emotional distress,

176 defamation, libel, slander, damage to reputation or any other relevant
177 tort against any person who harasses such school library media
178 specialist, school library staff member, teacher, administrator, school
179 staff member or local or regional board of education member for
180 implementing the policies described in this section.

181 (h) Each local and regional board of education shall make the (1)
182 collection development and maintenance policy, (2) library program
183 and display policy, and (3) library material review and reconsideration
184 policy adopted under this section available on the board's or governing
185 body's Internet web site, or, if no such Internet web site exists, inside the
186 school library or included as part of such school library's policy manual.

187 Sec. 2. (NEW) (*Effective from passage*) (a) As used in this section:

188 (1) "Library and other educational material" means any material
189 belonging to, on loan to or otherwise in the custody of a public library,
190 including, but not limited to, nonfiction and fiction books, magazines,
191 reference books, supplementary titles, multimedia and digital material
192 and software.

193 (2) "Public library staff member" means a public library media
194 specialist, public librarian, any certificated or noncertificated staff
195 member whose assignment is in the public library or any individual
196 carrying out or assisting with the functions of a public library media
197 specialist.

198 (3) "Individual with a vested interest" means any individual residing
199 in the town in which the public library is located or the town in which
200 the contract library is located at the time a reconsideration form is filed
201 under subsection (e) of this section.

202 (4) "Remove" means deliberately taking library material out of a
203 library's collection. "Remove" does not include the process of clearing
204 such collection of any materials that are no longer useful.

205 (b) The board of trustees, or other governing body, of each public

206 library shall adopt a (1) collection development and maintenance policy,
207 (2) library program and display policy, and (3) library material review
208 and reconsideration policy. Each such policy shall ensure that all library
209 materials are evaluated and made accessible in accordance with the
210 protections against discrimination set forth in section 46a-64 of the
211 general statutes, including, but not limited to, discrimination based on
212 race, color, sex, gender identity, religion, national origin, sexual
213 orientation or disability. In developing each such policy, the board shall
214 have control over the content of each such policy, provided such policies
215 are in accordance with the provisions of this section. The board of
216 trustees or other governing body shall review, and update as necessary,
217 each such policy every five years.

218 (c) The collection development and maintenance policy shall, at a
219 minimum:

220 (1) Recognize that library materials should (A) be provided for the
221 interest, information and enlightenment of all residents, and (B)
222 represent a wide range of varied and diverging viewpoints in the
223 collection as a whole;

224 (2) Recognize the importance of the public library as a place for
225 voluntary inquiry, the dissemination of information and ideas and the
226 promotion of free expression and free access to ideas by residents;

227 (3) Acknowledge that librarians are professionally trained to curate
228 and develop a collection that provides resident with access to the widest
229 array of library and other educational materials; and

230 (4) Establish a procedure for a librarian to continually review library
231 and other educational material within a public library using
232 professionally accepted standards, which shall include, but not be
233 limited to, the material's relevance, the physical condition of the
234 material, the availability of duplicates or copies of the material, the
235 availability of more recent age-appropriate or grade-level-appropriate
236 material and the continued demand for the material.

237 (d) The library display and program policy shall, at a minimum:

238 (1) Recognize that library displays should (A) be provided for the
239 interest, information and enlightenment of all residents, (B) represent a
240 wide range of varied and diverging viewpoints, and (C) provide access
241 to content that is relevant to the research, independent interests and
242 educational needs of residents;

243 (2) Recognize the importance of displays and programs as resources
244 for voluntary inquiry and the dissemination of information and ideas
245 and to promote free expression and free access to ideas by residents;

246 (3) Acknowledge that librarians are professionally trained to curate
247 and develop displays and programs; and

248 (4) Differentiate between library displays and programs that are
249 created or curated by librarians or staff members of the public library
250 and those displays and programs created by members of the public or
251 community groups and exhibited in the public library.

252 (e) The material review and reconsideration policy shall, at a
253 minimum:

254 (1) Establish a process for individuals with a vested interest to
255 challenge any library and other educational material, display or
256 program;

257 (2) Limit consideration of requests to reconsider material, displays or
258 programs to individuals residing in the town in which the library is
259 located or the town in which the contract library is located;

260 (3) Require that no library material, display or program shall be
261 removed from library media centers, or programs be cancelled, because
262 of the origin, background or viewpoints expressed in such material,
263 display or program or because of the origin, background or viewpoints
264 of the creator of such material, display or program;

265 (4) Require that library materials, displays and programs may only
266 be excluded for legitimate pedagogical purposes or for professionally
267 accepted standards of collection maintenance practices as adopted in the
268 collection development and maintenance policy or the display and
269 program policy;

270 (5) Require that any process for petitioners to challenge any library
271 material, display or program shall neither favor nor disfavor any group
272 based on protected characteristics;

273 (6) Provide for the creation of a request for reconsideration form that
274 may be submitted by an individual to the library director to initiate a
275 review of such material. The form shall require such individual to
276 specify which portion or portions of such material such individual
277 objects to and provide an explanation of the reasons for such objection.
278 Such individual shall not submit a request for reconsideration form
279 without including such individual's full legal name, address and
280 telephone number;

281 (7) Acknowledge that reconsideration requests are not confidential
282 patron records under section 11-25 of the general statutes;

283 (8) Require that any library material being challenged remain
284 available in the library according to its catalog record and be available
285 for a resident to reserve, check out or access until a final decision is made
286 by the library director;

287 (9) Require the library director to evaluate the request for
288 reconsideration form, read the challenged material in its entirety,
289 evaluate the challenged material against the collection development and
290 maintenance policy and make a written decision on whether or not to
291 remove the challenged material not later than sixty days from the date
292 of receiving such request. The library director shall provide a copy of
293 the library director's decision and report to the individual who
294 submitted the form;

295 (10) Permit the individual who submitted the request for
296 reconsideration form to appeal, in writing, the library director's decision
297 to the board of trustees or other governing body for the library. The
298 board, after evaluating the challenged material under the collection
299 development and maintenance policy, shall (A) consult with (i) the
300 library director, (ii) the State Librarian, or the State Librarian's designee,
301 (iii) a representative of the cooperating library service unit, as defined
302 in section 11-9e of the general statutes, (iv) the president of the
303 Connecticut Library Association, or the president's designee, and (v) the
304 president of the Association of Connecticut Library Boards, or the
305 president's designee, (B) deliberate on such request for reconsideration,
306 (C) provide a written statement of the reasons for the reconsideration or
307 refusal to reconsider the library material, and (D) provide any final
308 decision that is contrary to the decision of the library director;

309 (11) Provide that once a decision has been made by the library
310 director or the board of trustees or other governing board on the
311 reconsideration of any library material, such material cannot be subject
312 to a new request for reconsideration for a period of three years;

313 (12) Permit a library director to consolidate any requests for
314 reconsideration of the same challenged library material; and

315 (13) Prohibit the removal, exclusion or censoring of any book on the
316 sole basis that an individual finds such book offensive.

317 (f) Any librarian or staff member of a public library who, in good
318 faith, implements the policies described in this section shall be immune
319 from any liability, civil or criminal, that might otherwise be incurred or
320 imposed and shall have the same immunity with respect to any judicial
321 proceeding that results from such implementation.

322 (g) Any librarian or staff member of a public library may bring an
323 action for emotional distress, defamation, libel, slander, damage to
324 reputation or any other relevant tort against any person who harasses
325 such librarian or staff member for implementing the policies described

326 in this section.

327 (h) The board of trustees, or other governing body, of each public
328 library shall make available the (1) collection development and
329 maintenance policy, (2) library program and display policy, and (3)
330 library material review and reconsideration policy adopted under this
331 section on the board's or governing body's Internet web site, or, if no
332 such Internet web site exists, inside the library or included as part of
333 such library's policy manual.

334 Sec. 3. Subsection (i) of section 11-24b of the general statutes is
335 repealed and the following is substituted in lieu thereof (*Effective from*
336 *passage*):

337 (i) No principal public library shall be eligible to receive a state grant
338 in accordance with the provisions of subsections (b), (c) and (d) of this
339 section if such principal public library does not maintain and adhere to
340 a collection development [, collection management and collection
341 reconsideration policies] and maintenance policy, a library display and
342 program policy and a material review and reconsideration policy that
343 have been [approved] adopted by the board of trustees or other
344 governing body of such library pursuant to section 2 of this act. Such
345 [collection reconsideration] material review and reconsideration policy
346 shall offer residents a clear process to request a reconsideration of
347 library materials. In the instance of a book challenge, these policies shall
348 govern.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	11-24b(i)