



Legislation Details (With Text)

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On agenda: 2/28/2024

Enactment date: **Enactment #:**

Title: Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.6350-B/A.6873-B, the "Freedom to Read Act," to require the Commissioner of the New York State Education Department, school districts, and school library systems to develop policies to ensure that 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.

Sponsors: Tiffany Cabán, Shaun Abreu, Shahana K. Hanif, Gale A. Brewer, Christopher Marte, Kevin C. Riley, Crystal Hudson

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Attachments: 1. Res. No. 70, 2. February 28, 2024 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 2-28-24

Date	Ver.	Action By	Action	Result
2/28/2024	*	City Council	Introduced by Council	
2/28/2024	*	City Council	Referred to Comm by Council	

Res. No. 70

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.6350-B/A.6873-B, the "Freedom to Read Act," to require the Commissioner of the New York State Education Department, school districts, and school library systems to develop policies to ensure that 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.

By Council Members Cabán, Abreu, Hanif, Brewer, Marte, Riley and Hudson

Whereas, According to the American Library Association (ALA), in 2022, libraries faced a record number of 1,269 attempts to ban or restrict library books and resources in the United States (U.S.), an alarming increase from 156 attempts in 2020 and 729 attempts in 2021; and

Whereas, Those attempts involved 2,571 unique book titles, an increase from 223 unique book titles in 2020 and 1,858 unique book titles in 2021; and

Whereas, Book bans and restrictions in 2022 particularly affected public schools and their libraries; and

Whereas, According to PEN America, an organization promoting free expression, during the first half of

the 2022-2023 school year, there were 1,477 instances of individual books banned in schools across the U.S., representing 874 unique book titles, an increase of 28 percent from the period between January 2022 and June 2022; and

Whereas, PEN America documented that between July 2022 and December 2022, instances of individual book bans occurred in 66 school districts in 21 U.S. states, encompassing 13 districts in Florida, 12 districts in Missouri, 7 districts in Texas, 5 districts in South Carolina, and 5 districts in Michigan; and

Whereas, Between July 2022 and December 2022, PEN America recorded 438 book bans in Texas, 357 book bans in Florida, 315 book bans in Missouri, and over 100 book bans each in Utah and South Carolina; and

Whereas, According to PEN America, between January 2022 and April 2022, 4 school districts in New York State banned certain books either pending investigation or in libraries and classrooms, including the Connetquot Central School District, the Marlboro Central School District, the Wappingers Central School District, and the Yorktown Central School District; and

Whereas, Per PEN America's Index of School Book Bans, the book titles that were banned in 2022 by some school districts in New York State are "Gender Queer: A Memoir" by M. Kobabe, "Dear Martin" by N. Stone, "The Poet X" by E. Acevedo, "All Boys Aren't Blue" by G. M. Johnson, "Beyond Magenta: Transgender Teens Speak Out" by S. Kuklin, "Jack of Hearts (and other parts)" by L. C. Rosen, "Lawn Boy" by J. Evison, "Looking for Alaska" by J. Green, "Out of Darkness" by A. H. Pérez, "The Bluest Eye" by T. Morrison, and "The Hate U Give" by A. Thomas; and

Whereas, ALA research documents that 90 percent of all book titles targeted for censorship in 2022 in the U.S. were challenged as part of attempts to ban multiple book titles; and

Whereas, In particular, 12 percent of targeted book titles were in cases involving between 2 and 9 challenged titles, 38 percent were in cases involving between 10 and 99 challenged titles, and 40 percent were in cases involving 100 or more challenged titles; and

Whereas, ALA documented that in 2022, the top 13 most challenged book titles in the U.S. were

targeted for featuring LGBTQIA+ characters and themes, as well as story plots involving sexual and physical violence, race, racism, and substance abuse; and

Whereas, PEN America’s research indicates that during the first half of the 2022-2023 school year, 30 percent of the unique book titles banned across the U.S. were about race, racism, or featured characters of color, 26 percent of the banned book titles had LGBTQIA+ characters or themes, 44 percent of the banned titles portrayed violence and abuse, 38 percent of the banned titles discussed topics of health and well-being, and 30 percent of the banned titles covered death and grief; and

Whereas, ALA stresses that the book challenges across the U.S. and the list of the Top 13 Most Challenged Books of 2022 evidence a growing, well-organized, conservative political movement whose goals include removing books addressing race, history, gender identity, sexuality, and reproductive health from American public and school libraries, because they do not meet the movement’s approval; and

Whereas, ALA’s 2022 data reveal that 30 percent of the reported book challenges in the U.S. were initiated by parents, 17 percent were initiated by political and religious groups, 15 percent were initiated by school boards and school administration, and 3 percent were initiated by elected officials; and

Whereas, ALA emphasized that in 2022, legislators and elected officials in 12 U.S. states, including Florida, Utah, and Missouri, initiated legislation to amend state criminal obscenity statutes to permit criminal prosecution of librarians and educators for distributing materials falsely claimed to be illegal and inappropriate for minors; and

Whereas, PEN America noted that during the first half of the 2022-2023 school year, numerous U.S. states, including Tennessee and Florida, enacted “wholesale bans” in which entire classrooms and school libraries have been suspended, closed, or emptied of books, either permanently or temporarily, largely because teachers and librarians in several states were directed to catalog entire collections for public scrutiny within short timeframes under a threat of punishment from new, vague laws; and

Whereas, A 2022 survey commissioned by ALA found that 71 percent of American voters across the

political spectrum oppose efforts to have books removed from their local libraries; and

Whereas, Per ALA's 2022 survey, 92 percent of American voters believe that school libraries play an important role in communities and schools; and

Whereas, Also per ALA's 2022 survey, 74 percent of American parents of public school students expressed a high degree of confidence in school librarians to make good decisions about which books to make available to children; and

Whereas, According to ALA's 2022 survey results, majorities of American parents of public school students affirmed that various types of books representing a wide array of viewpoints should be available in school libraries on an age-appropriate basis; and

Whereas, Specifically, per ALA's 2022 survey, 84 percent of American parents of public school students endorsed works about U.S. history focusing on the role of slavery and racism in shaping America today, 68 percent of parents endorsed novels portraying police violence against Black people, 65 percent of parents endorsed fiction and non-fiction books about LGBTQIA+ people, and 57 percent of parents endorsed works of fiction featuring sexually explicit content and scenes of sexual violence; and

Whereas, The existence and functioning of a modern, pluralist, diverse democracy depends on informed, thoughtful, and engaged citizens; and

Whereas, Schools and school libraries play a crucial role in American democracy by providing to students a critical foundation of knowledge and important access to a wide array of lived experiences and perspectives through books and other materials; and

Whereas, With the stated aim of ensuring that students in New York State have access to a broad range of materials to enrich their minds, broaden their perspectives, and explore challenging ideas as valuable to students' development as learners, as community members, and as citizens, State Senator Rachel May introduced S.6350-B in the New York State Senate, and Assembly Member Daniel J. O'Donnell introduced companion bill A.6873-A in the New York State Assembly, known as the "Freedom to Read Act;" and

Whereas, S.6350-B/A.6873-A would require the Commissioner of the New York State Education Department, school districts, and school library systems to develop policies to ensure that 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; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.6350-B/A.6873-A, the "Freedom to Read Act," to require the Commissioner of the New York State Education Department, school districts, and school library systems to develop policies to ensure that 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.

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