

## Library Materials Amendments

## 2026 GENERAL SESSION

# STATE OF UTAH

**Chief Sponsor: Michael K. McKell**

### House Sponsor:

## LONG TITLE

### **General Description:**

This bill enacts provisions related to requirements in a public school library.

## Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a local education agency (LEA) to adopt a policy that governs practices related to:
  - library development;
  - collection of library instructional material; and
  - reconsideration of library instructional material;
- ▶ allows an individual to submit a request for reconsideration of certain material;
- ▶ requires a digital resource provider to provide certain services related to library instructional material;
- ▶ prohibits an LEA from:
  - retaliating against educational professionals in certain situations; and
  - tracking certain student data; and
- ▶ makes technical and conforming changes.

### **Money Appropriated in this Bill:**

None

## Other Special Clauses:

This bill provides a special effective date.

## Utah Code Sections Affected:

**AMENDS:**

53G-6-806, as last amended by Laws of Utah 2024, Chapter 21

## ENACTS:

**53G-10-801**, Utah Code Annotated 1953

**53G-10-802**, Utah Code Annotated 1953

**53G-10-803**, Utah Code Annotated 1953

31       **53G-10-804**, Utah Code Annotated 195332       

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*Be it enacted by the Legislature of the state of Utah:*33       Section 1. Section **53G-6-806** is amended to read:34       **53G-6-806 . Parent portal.**

35       (1) As used in this section:

36       (a) "Parent portal" means the posting the state board is required to provide under this  
37            section.

38       (b) "School" means a public elementary or secondary school, including a charter school.

39       (2)(a) The state board shall post information that allows a parent of a student enrolled in  
40            a school to:

41            (i) access an LEA's policies required by Sections[-] :

42              (A) 53G-9-203[-and-] ;43              (B) 53G-9-605; and44              (C) 53G-10-803;45            (ii) be informed of resources and steps to follow when a student has been the subject,  
46              perpetrator, or bystander of bullying, cyber-bullying, hazing, retaliation, or  
47              abusive conduct such as:

48              (A) resources for the student, including short-term mental health services;

49              (B) options for the student to make changes to the student's educational  
50              environment;

51              (C) options for alternative school enrollment;

52              (D) options for differentiated start or stop times;

53              (E) options for differentiated exit and entrance locations; and

54              (F) the designated employee for an LEA who addresses incidents of bullying,  
55              cyber-bullying, hazing, retaliation, and abusive conduct;56            (iii) be informed of the steps and resources for filing a grievance with a school or  
57              LEA regarding bullying, cyber-bullying, hazing, or retaliation;58            (iv) be informed of the steps and resources for seeking accommodations under the  
59              Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.;60            (v) be informed of the steps and resources for seeking accommodations under state or  
61              federal law regarding religious accommodations;62            (vi) be informed of the steps and resources for filing a grievance for an alleged  
63              violation of state or federal law, including:

- (A) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d-2000d-4;
- (B) Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1688;
- (C) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794; and
- (D) Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131-12165;

) receive information about constitutional rights and freedoms afforded to families in public education;

i) be informed of how to access an internal audit hotline if established by the state board; and

) be informed of services for military families.

(b) In addition to the information required under Subsection (2)(a), the state board:

(i) shall include in the parent portal:

- (A) the comparison tool created under Section 53G-6-805;
- (B) school level safety data, including data points described in Section 53E-3-516;  
and
- (C) a link to the public safety portal described in Section 63A-16-1002; and  
may include in the parent portal other information that the state board determines  
is helpful to parents.

(3)(a) The state board shall post the parent portal at a location that [is easily located by a parent] a parent can easily locate.

(b) The state board shall update the parent portal at least annually.

(c) In accordance with state and federal law, the state board may collaborate with a third-party to provide safety data visualization in comparison to other states' data

(4) An LEA shall annually notify each of the following of how to access the parent portal:

(a) a parent of a student; and

(b) a teacher, principal, or other professional staff within the LEA.

Section 2. Section **53G-10-801** is enacted to read:

## Part 8. Library Requirements

## **53G-10-801 . General provisions -- Definitions.**

### As used in this part:

(1) "Collection development policy" means a written plan an LEA adopts in accordance with Section 53G-10-802 guiding selection, removal, and maintenance of a school library collection

(2) "Contracting entity" means the following entities if that entity contracts with a digital

99       resource provider for digital resources:

100      (a) an LEA;

101      (b) the state board; or

102      (c) UETN.

103     (3)(a) "Digital resource" means a digital or online library resource in a school library  
104        collection.

105     (b) "Digital resource" includes:

106        (i) a database that aggregates electronic periodical publications;

107        (ii) a newspaper;

108        (iii) a magazine;

109        (iv) an academic or research journal; and

110        (v) any other similar, regularly published publication.

111     (4) "Digital resource provider" means an entity that offers a digital resource to customers  
112        for license or sale.

113     (5) "Instructional material" means the same as that term is defined in Section 53G-10-103.

114     (6)(a) "Library" means a library an LEA:

115        (i) establishes;

116        (ii) administers; or

117        (iii) controls.

118     (b) "Library" does not include a classroom library.

119     (7) "Public school" means:

120        (a) a district school;

121        (b) a charter school; or

122        (c) the Utah Schools for the Deaf and the Blind.

123     (8)(a) "Reconsideration" means a process in which school library personnel or a school  
124        governing body reviews specific material in a school library collection due to an  
125        individual's formal request.

126     (b) "Reconsideration" includes relocating or removing material from a school library  
127        collection.

128     (9) "Relocation" means changing the permanent location of a library material:

129        (a) because of the final decision of a reconsideration request; and

130        (b) to prevent a student from accessing library material that is not age appropriate.

131     (10)(a) "School library collection" means all material, both physical and digital,  
132        accessible to a student in or through a school library.

133 (b) "School library collection" includes:

134 (i) books;

135 (ii) electronic material;

136 (iii) pamphlets;

137 (iv) magazines;

138 (v) audio or visual material;

139 (vi) software;

140 (vii) digital resources;

141 (viii) subscriptions; and

142 (ix) other information accessed online.

143 (11) "Sensitive material" means the same as that term is defined in Section 53G-10-103.

144 (12) "Teacher librarian" means a licensed employee with a masters degree or endorsement  
145 in library science assigned to teach at a school.

146 (13) "Utah Education and Telehealth Network" or "UETN" means the same as that term is  
147 defined in Section 53H-4-213.1.

148 Section 3. Section **53G-10-802** is enacted to read:

149 **53G-10-802 . Library collection and development policy.**

150 (1) An LEA shall:

151 (a) create and adopt a collection development policy that outlines the LEA's library  
collection and development practices that is:

152 (i) under the direction of the teacher librarian at each school or LEA; and

153 (ii) publicly available on the LEA's website or another publicly accessible location;

154 (b) ensure that the policy the LEA adopts under Subsection (1)(a) is in compliance with  
Section 53G-10-103 and establishes the following standards:

155 (i) the purpose of library instructional material, services, and digital resources is for:

156 (A) the interest and instructional support of students and school personnel; and

157 (B) encouraging student appreciation for both informational and recreational  
researching, reading, viewing, and listening;

158 (ii) library instructional material is not subject to exclusion, removal, or prohibition  
from a school library collection solely because of:

159 (A) the origin, background, or views of the person who created the instructional  
material; or

160 (B) partisan, ideological, or religious disapproval;

161 (iii) a teacher librarian is responsible for the development and maintenance of a

school's library collection at the school that employs the teacher librarian;

(iv) library instructional material is for the support of the core standards and interests of students, staff, and families, taking into account varied:

(A) interests;

(B) cultural perspectives;

(C) age levels;

(D) ability levels; and

(E) learning styles; and

(v) selection of all purchased or donated library instructional material considers the age appropriateness of the instructional material for the emotional development, ability level, learning styles, and intellectual development of the students and a combination of five or more of the following criteria:

(A) overall purpose and educational significance:

(B) contribution and relevance to state core standards;

(C) teacher, parent, or student request;

(D) accuracy and credibility of the material:

(E) favorable reviews, recommendations, or awards;

(F) contribution to a balanced perspective;

(G) potential appeal and interest;

**(H) recreational reading needs of students;**

(I) artistic quality and literary style;

(J) reputation and significance of author, producer, or publisher;

### (K) support of a multilingual student:

(L) support of a special needs student;

(M) support of advanced learners and students enrolled in college credit earning courses; or

(N) merit of the work as a whole;

(c) create a comprehensive list of each school library collection within the LEA and post the list to the school website

(d) revisit and review the LEA's collection development policy at least once every five years

(2) Nothing in this section overrides or negates any provision of state law, including the prohibition on sensitive material under Section 53G-10-103.

Section 4. Section 53G-10-803 is enacted to read:

201           **53G-10-803 . Library resources -- Reconsideration policy.**

202           (1)(a) An LEA shall create and adopt a policy for reconsideration of material in a school  
203           library collection that:

204            (i) outlines the process an LEA creates under Subsection (2) for material in a school  
205           library collection to undergo reconsideration based on a request made under  
206           Subsection (5) for reasons other than sensitive material;

207            (ii) is available on the parent portal, in accordance with Section 53G-6-806; and

208            (iii) is publicly available on the LEA's website.

209           (b) The policy described in Subsection (1)(a) operates independently from the policy for  
210           reviewing sensitive material required under Section 53G-10-103.

211           (2) An LEA shall:

212            (a) develop a process for reconsideration that includes a mechanism for appealing a  
213           decision regarding removal of material in a school library collection;

214            (b) after the material undergoes the process described in Subsection (2)(a) and the LEA  
215           deems the material is appropriate for relocation or removal:

216            (i) remove library instructional material from the LEA's permanent collection;

217            (ii) relocate library instructional material within the LEA's collection to a more  
218           age-appropriate space; or

219            (iii) remove access to digital resources at the title, issue, or article level;

220            (c) keep material in a school library collection in circulation while reconsideration is  
221           pending;

222            (d) maintain a record of:

223            (i) each appeal;

224            (ii) the final determination after an appeal; and

225            (iii) the rationale for the final determination; and

226            (e) make records described in Subsection (2)(d) available to the public upon request.

227           (3) An LEA may not reconsider the same library instructional material more than once  
228           every four years.

229           (4) Removal or relocation of library instructional material and removal of access to digital  
230           resources applies only to the school library collection from which the reconsideration  
231           request was filed.

232           (5)(a) A parent of a student enrolled at an LEA, a teacher librarian, or a teacher the LEA  
233           employs may submit a reconsideration request of a material in a school library  
234           collection by signing a form that affirms the individual has reviewed the entirety of

235 the challenged material.

236 (b) An individual who makes three unsuccessful reconsideration requests in a single  
237 academic year may not initiate further reconsideration under this section for the  
238 remainder of that academic year.

239 (c) An individual may not request a material in a school library collection be  
240 reconsidered for reasons related to sensitive material under this section.

241 (6)(a) A digital resource provider that aggregates electronic periodical publications to a  
242 contracting entity shall allow removal of a digital resource at the title, issue, or article  
243 level.

244 (b) A digital resource provider contracted with a contracting entity to provide a database  
245 containing or providing access to digital periodicals, shall include a mechanism or  
246 tool to remove access to material relocated or removed through reconsideration  
247 without disrupting access to remaining digital library instructional material in the  
248 school library.

249 Section 5. Section **53G-10-804** is enacted to read:

250 **53G-10-804 . Retaliation against employees -- Data privacy.**

251 (1) An LEA may not retaliate against an individual the LEA employs for refusing to  
252 remove material in a school library collection that are the subject of a request for  
253 reconsideration under Section 53G-10-803 before an LEA reviews the material in  
254 accordance with the reconsideration policy described in Section 53G-10-803.

255 (2) An LEA may not:

256 (a) require a school's digital resource provider to track individual users via a school's  
257 digital resources; or  
258 (b) curate digital resources or resources on an individual, student level.

259 Section 6. **Effective Date.**

260 This bill takes effect on July 1, 2026.