

Committee on Education

CS/HB 1467 — K-12 Education

by Appropriations Committee and Rep. Garrison and others (CS/SB 1300 by Education Committee and Senator Gruters)

The bill (Chapter 2022-21, L.O.F.) establishes 12 year terms limits for school board members, and modifies school district requirements for instructional materials, including instructional materials in school libraries and media centers to provide increased oversight over, and public access to, all materials used in instruction.

School Board Member Term Limits

The bill establishes term limits of 12 years for school board members. A person may not appear on the ballot for reelection as a school board member if, by the end of his or her current term of office, the person will have served, or but for resignation would have served, in that office for 12 consecutive years. The term limits begin with the November 8, 2022, election, allowing current school board members to serve an additional 12 years.

Public Participation in the Instructional Materials Review Process

The bill requires that each district school board that holds meetings of committees convened for the purpose of selecting instructional materials for recommendation to the district school board must be noticed and open to the public, and must include parents of district students. Additionally, the bill modifies the requirement that each school district publish on its website a list of all instructional materials to include those used for specified required instruction.

A district school board must also:

- Provide access to all materials, excluding teacher editions, at least 20 calendar days before the district school board takes any official action on such materials. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption;
- Select, approve, adopt or purchase materials as a separate line item on the agenda, rather than on a consent agenda, and must provide a reasonable opportunity for public comment; and
- Submit to the Commissioner of Education (commissioner), beginning June 30, 2023, an annual report that identifies:
 - Each material for which the school district received an objection in the school year and the specific objections;
 - Each material that was removed or discontinued as a result of an objection, by grade level and course.

The bill requires the Department of Education (DOE) to publish and update a list of materials that were removed or discontinued by district school boards as a result of an objection and disseminate the list to school districts for consideration in their instructional materials selection.

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The bill requires each superintendent to identify, in the annual certification to the commissioner for the release of funds for instructional materials, any material that received an objection and the grade-level and course for which a removed or discontinued material was used.

Materials in School District Libraries and Media Centers

The bill requires that each book made available to students through a school district library media center or included in a recommended or assigned school or grade-level reading list must be selected by a school district employee who holds a valid educational media specialist certificate. The bill requires the DOE to develop an online training program for librarians and media specialists, which includes training on materials in school library media centers and reading lists, to be made available no later than January 1, 2023. After that date, personnel involved in the selection of school district library materials and reading lists must complete the training program developed by the DOE. Additionally, the bill requires each superintendent, beginning July 1, 2023, to annually certify to the commissioner that all school librarians and media center specialists have completed the online training program.

Each public elementary school is required by the bill to publish on its website a list of all materials maintained in the school library or required as part of a booklist used in a classroom. In addition, each district school board is required to adopt and post on the website procedures for developing library media center collections. At a minimum, the procedures must:

- Require book selections to be free of pornography and prohibited materials harmful to minors, suited to student needs, and appropriate for the grade level and age group;
- Require consultation of reputable, professionally recognized sources and school community stakeholders for each selection;
- Provide for library media center collections based on reader interest, support of state academic standards and aligned curriculum, and the academic needs of students and faculty; and
- Provide for the regular removal or discontinuance of books based on factors specified in the bill, including those removed because of an objection by a parent or resident of the county.

The bill provides that school principals are responsible for overseeing compliance with school library media center materials selection procedures at the school in which they are assigned.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 24-15; House 79-41