



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

**AMENDED**

**FACT SHEET FOR H.B. 2439**

school library books; parental review  
(NOW: school library; review; policy)

Purpose

Requires, beginning January 1, 2023, a school district governing board (governing board) and charter school governing body (governing body) to adopt procedures for a parent to access a school's library collection and a list of materials their child borrows. Requires a governing board, governing body and each school to make a list of books and materials purchased after January 1, 2023, available for public review, subject to certain exemptions.

Background

Arizona's Parents' Bill of Rights reserves, to a parent of a minor child, the right to direct the education of the child without obstruction or interference from the state, a political subdivision, governmental entity or any other institution. A parent of a student in a public educational institution has the right to review learning materials and activities in advance and request to withdraw the student from an activity, class or program if the parent objects to the learning material or activity on the basis that it is harmful. A charter school that provides a complete list of materials each year before enrollment may require parents to waive their right to object as a condition of enrollment (A.R.S. §§ [1-602](#) and [15-113](#)).

A parent may request information relating to parental involvement procedures, rights and responsibilities during regular business hours as outlined. If the request is denied or the parent does not receive the information within 15 days, the parent may submit a written request to the governing body to be formally considered at the next scheduled public meeting. On written request, a school district must make instructional materials used or being considered for use available for parent or guardian review (A.R.S. §§ [15-102](#) and [15-730](#)).

A governing board must approve basic textbooks, supplemental books and instructional computer software before use in a high school or common school course. The governing board must: 1) make available, for 60 days for public review, a copy of each textbook being considered for selection at the school district office; and 2) require all committees authorized to review and select textbooks to be open to the public. For textbooks used for high school courses, the governing board must also provide information on the proposed textbooks on the school district website and provide opportunity for public comment for at least 60 days (A.R.S. §§ [15-721](#) and [15-722](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires, beginning January 1, 2023, each governing body and governing board to adopt procedures, in consultation with parents, teachers and administrators, for parents to:
  - a) access the school's library collection of available books and materials; and
  - b) receive a list of books and materials their child borrows from the library.
2. Requires each governing body and governing board to:
  - a) make available on the charter school's or school district's website, for review by the public, a list of all books and materials purchased after January 1, 2023, for any of the charter school's or district's school libraries for at least 60 days after the purchase; and
  - b) ensure that each charter school site or school operated by the district notifies the parents of each enrolled pupil of the public review opening and closing dates within seven school days before the opening date.
3. Requires each charter school site and school operated by a school district to make available, on its website for public review, all books and materials purchased after January 1, 2023, for the school library for at least 60 days after purchase.
4. Exempts, from the posting for public review requirements, the purchase of a book or material that is intended to replace a lost or damaged book or material.
5. Exempts a district school or charter school site without a full-time library media specialist or an equivalent position and a school district library that has an agreement with a county free library district, municipal library or another statutorily-outlined library or school entity from the requirements to:
  - a) adopt procedures for parents to access the school's library collection and receive a list of books or materials borrowed by their children;
  - b) post a list of books and materials purchased for the school library for public review; and
  - c) notify parents of the dates for public review of purchased library books and materials.
6. Makes technical and conforming changes.
7. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Eliminates the requirement that a governing board or governing body must approve all books in a school's library.
2. Delays, to January 1, 2023, the requirements for a school district governing board or charter school governing body to adopt procedures for parents to:
  - a) access a school's library collection; and
  - b) receive a list of books and materials borrowed from the library by their children.
3. Narrows the requirements for public review of purchased library books to apply to books purchased after January 1, 2023.

4. Applies requirements for parental access to the school's library collection, rather than to the school's library catalog.
5. Applies, to purchased library materials, the requirements for public review of purchased library books.
6. Exempts, from requirements relating to parental access to library collections and a list of materials borrowed by their children:
  - a) district schools or charter school sites without a full-time library media specialist or an equivalent position; and
  - b) school district libraries that have agreements with county free library districts, municipal libraries or other outlined entities.
7. Clarifies that the exemptions from requirements to notify parents of the dates for public review of purchased library books and materials include district schools and charter schools without a full-time library media specialist or equivalent position.
8. Makes technical and conforming changes.

House Action

ED	1/25/22	DPA	6-4-0-1
3 <sup>rd</sup> Read	2/15/22		31-28-1

Senate Action

ED	3/1/22	DP	5-3-0
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Prepared by Senate Research

April 6, 2022

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