

118TH CONGRESS  
1ST SESSION

# H. R. 2889

To ensure that students in schools have a right to read, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2023

Mr. GRIJALVA (for himself, Mr. BOWMAN, Mr. COURTNEY, Ms. OCASIO-CORTEZ, Ms. ADAMS, Ms. WILSON of Florida, Ms. NORTON, Ms. CROCKETT, Ms. BONAMICI, Ms. MENG, Ms. MCCOLLUM, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To ensure that students in schools have a right to read,  
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Right to Read Act  
5 of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 Section 8101 of the Elementary and Secondary Edu-  
8 cation Act of 1965 (20 U.S.C. 7801) is amended—

1           (1) by redesignating paragraphs (19) through  
2           (28), paragraphs (29) through (43), paragraphs  
3           (44) through (49), and paragraphs (50) through  
4           (52) as paragraphs (20) through (29), paragraphs  
5           (31) through (45), paragraphs (47) through (52),  
6           and paragraphs (54) through (56), respectively;

7           (2) by inserting after paragraph (18) the fol-  
8           lowing:

9           “(19) EFFECTIVE SCHOOL LIBRARY.—The term  
10          ‘effective school library’ means a library that—

11                 “(A) is staffed by supporting staff and at  
12                 least one full-time State-certified school librar-  
13                 ian who—

14                         “(i) is an instructional leader, infor-  
15                         mation specialist, and teacher;

16                         “(ii) supports the digital learning en-  
17                         vironment and the development of  
18                         participatory learning, inquiry learning,  
19                         digital literacy, and information literacy;  
20                         and

21                         “(iii) supports, supplements, and ele-  
22                         vates the literacy experience through guid-  
23                         ance in reading for learning and motiva-  
24                         tional reading initiatives in order to en-

1           hance student achievement and foster life-  
2           long reading and learning;

3           “(B) is otherwise adequately staffed to be  
4           open to students before, during, and after the  
5           school day;

6           “(C) has a sufficient collection of profes-  
7           sionally curated up-to-date digital and print  
8           materials and technology, including openly li-  
9           censed educational resources;

10          “(D) provides appropriate facilities for  
11          maintaining and providing equitable access to  
12          materials, technology, connectivity, and library  
13          and literacy instruction;

14          “(E) provides regular skills development or  
15          training for classroom teachers, school librar-  
16          ians, library paraprofessional staff, and other  
17          educators;

18          “(F) provides opportunities for collabora-  
19          tion between classroom teachers and school li-  
20          brarians; and

21          “(G) implements nationally recognized pro-  
22          fessional standards of practice.”;

23          (3) by inserting after paragraph (29), as reded-  
24          ignated by paragraph (1), the following:

1           “(30) INFORMATION LITERACY.—The term ‘in-  
2           formation literacy’ means the set of skills needed to  
3           find, retrieve, understand, evaluate, analyze, and ef-  
4           fectively use information (which encompasses spoken  
5           and broadcast words and videos, printed materials,  
6           and digital content, data, and images).”;

7           (4) by inserting after paragraph (45), as redes-  
8           ignated by paragraph (1), the following:

9           “(46) RIGHT TO READ.—The term ‘right to  
10          read’ means all students have access to—

11                   “(A) linguistically and developmentally ap-  
12                   propriate, evidence-based reading instruction;

13                   “(B) effective school libraries;

14                   “(C) family literacy support;

15                   “(D) culturally diverse and inclusive mate-  
16                   rials;

17                   “(E) reading materials in the home; and

18                   “(F) the freedom to choose reading mate-  
19                   rials.”; and

20          (5) by inserting after paragraph (52), as redes-  
21          ignated by paragraph (1), the following:

22           “(53) TEACHER.—The term ‘teacher’ includes a  
23          school librarian.”.

1 **SEC. 3. AMENDMENTS TO TITLE I.**

2 (a) STATE PLANS.—Section 1111 of that Act (20  
3 U.S.C. 6311) is amended—

4 (1) in subsection (a)(4)(A)(ii)(I)(aa), by insert-  
5 ing “(including school librarians)” after “teachers”;  
6 and

7 (2) in subsection (g)—

8 (A) in paragraph (1)—

9 (i) by redesignating subparagraph (G)  
10 as subparagraph (H);

11 (ii) in subparagraph (F), by striking  
12 “and” after the semicolon;

13 (iii) by inserting after subparagraph  
14 (F) the following:

15 “(G) how the State will work to ensure  
16 that low-income students, minority students,  
17 students with disabilities, and English learners  
18 are not disproportionately enrolled in schools  
19 that lack an effective school library, and the  
20 measures the State educational agency will use  
21 to evaluate and publicly report the progress of  
22 the State educational agency with respect to en-  
23 suring such access to an effective school library;  
24 and”;

25 (iv) in subparagraph (H), as redesign-  
26 nated by clause (i), by inserting “, includ-

1 ing the development of digital literacy and  
2 information literacy skills” after “academic  
3 standards”; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (J), by inserting  
6 “(including school librarians)” after  
7 “teachers”;

8 (ii) in subparagraph (M), by striking  
9 “and” after the semicolon;

10 (iii) in subparagraph (N), by striking  
11 the period at the end and inserting “;  
12 and”; and

13 (iv) by adding at the end the fol-  
14 lowing:

15 “(O) the State educational agency has a  
16 policy regarding the right to read and will no-  
17 tify local educational agencies, Indian tribes  
18 and tribal organizations, schools, teachers,  
19 school librarians, principals, other school lead-  
20 ers, specialized support personnel, parents, and  
21 the public of such policy.”.

22 (b) LOCAL EDUCATIONAL AGENCY PLANS.—Section  
23 1112 of that Act (20 U.S.C. 6312) is amended—

24 (1) in subsection (a)(1)(A), by inserting “(in-  
25 cluding school librarians)” after “teachers”; and

1 (2) in subsection (b)—

2 (A) in paragraph (12)(B), by striking  
3 “and” after the semicolon;

4 (B) by striking paragraph (13); and

5 (C) by adding at the end the following:

6 “(13) how the local educational agency will—

7 “(A) support and improve effective school  
8 libraries by supporting the work of State-cer-  
9 tified school librarians to ensure that students  
10 have equitable access to such libraries; and

11 “(B) assist schools in developing effective  
12 school libraries to provide students an oppor-  
13 tunity to develop digital literacy and informa-  
14 tion literacy skills and improve academic  
15 achievement;

16 “(14) the policies the local educational agency  
17 has in place to protect the right to read; and

18 “(15) any other information on how the local  
19 educational agency proposes to use funds to meet  
20 the purposes of this part, and that the local edu-  
21 cational agency determines appropriate to provide,  
22 which may include a description of how the local  
23 educational agency will assist schools in identifying  
24 and serving gifted and talented students.”.

1 **SEC. 4. AMENDMENTS TO TITLE II.**

2 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
3 2003 of that Act (20 U.S.C. 6603) is amended—

4 (1) in subsection (b), by inserting “except for  
5 subpart 2,” after “part B,”; and

6 (2) by adding at the end the following:

7 “(c) **LITERACY EDUCATION FOR ALL, RESULTS FOR**  
8 **THE NATION.**—There are authorized to be appropriated—

9 “(1) for grants authorized under section 2222,  
10 \$500,000,000 for fiscal year 2024 and each of the  
11 succeeding 4 fiscal years; and

12 “(2) for grants authorized under section 2226,  
13 \$100,000,000 for fiscal year 2024 and each of the  
14 succeeding 4 fiscal years.”.

15 (b) **FORMULA GRANTS TO STATES.**—Section 2101 of  
16 that Act (20 U.S.C. 6611) is amended—

17 (1) in subsection (c)(4)(B)—

18 (A) by redesignating clauses (xiv) through  
19 (xxi) as clauses (xvii) through (xxiv), respec-  
20 tively;

21 (B) by striking clause (xiii) and inserting  
22 the following:

23 “(xiii) Supporting and improving ef-  
24 fective school libraries that involve collabo-  
25 ration with State-certified school librar-  
26 ians.”; and



1 (C) by inserting after clause (xiii) the fol-  
2 lowing:

3 “(xiv) Developing, improving, and im-  
4 plementing mechanisms to assist local edu-  
5 cational agencies and schools in effectively  
6 recruiting, hiring, and retaining State-cer-  
7 tified school librarians.

8 “(xv) Providing training to school li-  
9 brarians, teachers, and school leaders on  
10 how to leverage effective school libraries  
11 for academic achievement, digital literacy,  
12 information literacy, and student and fam-  
13 ily engagement.

14 “(xvi) Providing training to library  
15 paraprofessional and other library staff to  
16 improve the effectiveness of school library  
17 programs.”; and

18 (2) in subsection (d)(3)(A), by inserting “(in-  
19 cluding school librarians)” after “teachers”.

20 (c) LOCAL USES OF FUNDS.—Section 2103(b)(3) of  
21 that Act (20 U.S.C. 6613(b)(3)) is amended by striking  
22 subparagraph (K) and inserting the following:

23 “(K) programs and activities to support  
24 and improve effective school libraries that in-  
25 volve collaboration with State-certified school li-

1           brarians, such as efforts to promote and sup-  
2           port digital literacy, information literacy, ex-  
3           tended student inquiry, and capstone projects;”.

4           (d) RESERVATIONS.—Section 2201 of that Act (20  
5 U.S.C. 6621) is amended—

6           (1) by striking paragraph (2); and

7           (2) by redesignating paragraphs (3) and (4) as  
8           paragraphs (2) and (3), respectively.

9           (e) LEARN PURPOSES AND DEFINITIONS.—Section  
10 2221(b) of that Act (20 U.S.C. 6641(b)) is amended—

11           (1) in paragraph (1)—

12           (A) in subparagraph (K), by striking  
13           “and” after the semicolon;

14           (B) in subparagraph (L), by striking the  
15           period at the end and inserting “; and”; and

16           (C) by adding at the end the following:

17           “(M) provides opportunities for students to  
18           develop digital literacy and information literacy  
19           skills.”; and

20           (2) in paragraph (2)(C), by inserting “public li-  
21           braries, or pediatric literacy programs” after “which  
22           may include early childhood education programs”.

23           (f) COMPREHENSIVE LITERACY STATE DEVELOP-  
24           MENT GRANTS.—Section 2222 of that Act (20 U.S.C.  
25 6642) is amended—

1 (1) in subsection (a), by striking “From the  
2 amounts reserved by the Secretary under section  
3 2201(2) and not reserved under subsection (b),” and  
4 inserting “From amounts appropriated to carry out  
5 this section”; and

6 (2) in subsection (b)—

7 (A) in the matter preceding paragraph (1),  
8 by striking “reserved to carry out this subpart”  
9 and inserting “appropriated to carry out this  
10 section”; and

11 (B) in paragraphs (2) and (3), by striking  
12 “subpart” and inserting “section” each place  
13 the term appears;

14 (3) in subsection (d)—

15 (A) in paragraph (1), by striking “and the  
16 State agency responsible for administering child  
17 care programs” and inserting “the State agency  
18 responsible for administering child care pro-  
19 grams in the State, and the State library ad-  
20 ministrative agency”; and

21 (B) in paragraph (2)(A), by inserting “,  
22 diverse high quality print materials, and effec-  
23 tive school libraries,” after “teachers of lit-  
24 eracy”; and

25 (4) in subsection (f)(2)—

1 (A) by redesignating subparagraphs (B)  
2 through (E) as subparagraphs (C) through (F),  
3 respectively; and

4 (B) by inserting after subparagraph (A)  
5 the following:

6 “(B) Providing technical assistance to eli-  
7 gible entities in the development of effective  
8 school libraries, which may include establishing  
9 a statewide office to coordinate technical assist-  
10 ance for such libraries.”.

11 (g) SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT  
12 OF BIRTH THROUGH KINDERGARTEN ENTRY LIT-  
13 ERACY.—Section 2223(a)(1) of that Act (20 U.S.C.  
14 6643(a)(1)) is amended by inserting “the State library ad-  
15 ministrative agency,” before “and, if applicable,”.

16 (h) INNOVATIVE APPROACHES TO LITERACY.—Sec-  
17 tion 2226(a) of that Act (20 U.S.C. 6646(a)) is amend-  
18 ed—

19 (1) in the matter preceding paragraph (1), by  
20 striking “From amounts reserved under section  
21 2201(2)” and inserting “From amounts appro-  
22 priated to carry out this section”;

23 (2) by redesignating paragraphs (2) and (3) as  
24 paragraphs (3) and (4), respectively; and

1           (3) by inserting after paragraph (1) the fol-  
2           lowing:

3           “(2) increasing the number of State-certified  
4           school librarians supporting students in high need  
5           schools;”.

6           (i) TECHNICAL AMENDMENTS.—

7           (1) Section 2231(a) of that Act (20 U.S.C.  
8           6661(a)) is amended, in the matter preceding para-  
9           graph (1) by striking “section 2201(3)” and insert-  
10          ing “section 2201(2)”.

11          (2) Section 2241 of that Act (20 U.S.C. 6671)  
12          is amended, in the matter preceding paragraph (1),  
13          by striking “section 2201(4)” and inserting “section  
14          2201(3)”.

15   **SEC. 5. AMENDMENTS TO TITLE IV.**

16          (a) STATE USE OF FUNDS.—Section  
17          4104(b)(3)(A)(i) of that Act (20 U.S.C. 7114(b)(3)(A)(i))  
18          is amended—

19               (1) by redesignating subclauses (VI) and (VII)  
20               as subclauses (VII) and (VIII), respectively; and

21               (2) by inserting after subclause (V) the fol-  
22               lowing:

23                                       “(VI) digital literacy and infor-  
24                                       mation literacy activities and pro-

1                   grams, including those provided  
2                   through effective school libraries;”.

3           (b) **ACTIVITIES TO SUPPORT WELL-ROUNDED EDU-**  
4 **CATIONAL OPPORTUNITIES.**—Section 4107(a)(3) of that  
5 Act (20 U.S.C. 7117(a)(3)) is amended—

6           (1) by redesignating subparagraphs (I) and (J)  
7           as subparagraphs (J) and (K), respectively; and

8           (2) by inserting after subparagraph (H) the fol-  
9           lowing:

10                   “(I) programs and activities the promote  
11                   the development of digital literacy and informa-  
12                   tion literacy skills, including those provided  
13                   through an effective school library;”.

14 **SEC. 6. DATA COLLECTION AND REPORTING ON SCHOOL LI-**  
15 **BRARIES.**

16           (a) **DATA COLLECTION.**—The Secretary of Education  
17 shall direct the National Center for Education Statistics  
18 to biennially collect data on elementary school and sec-  
19 ondary school libraries.

20           (b) **ELEMENTS.**—The data collected biennially under  
21 subsection (a) shall include—

22           (1) the number and percentage of elementary  
23           schools and secondary schools in each State that  
24           have dedicated school library facilities located on the

1 grounds of the school and the square footage of each  
2 such library facility;

3 (2) the number and percentage of schools  
4 counted under paragraph (1) that employ at least  
5 one full-time State-certified school librarian; and

6 (3) with respect to each elementary and sec-  
7 ondary school library—

8 (A) the number of State-certified school li-  
9 brarians;

10 (B) the number of additional school library  
11 staff;

12 (C) the number and types of physical col-  
13 lections or assets;

14 (D) the number and types of virtual collec-  
15 tions or databases the school library has access  
16 to;

17 (E) the number and types of student use  
18 devices managed by school library staff;

19 (F) the amount of time State-certified  
20 school librarians spend planning with teachers  
21 and instructing students;

22 (G) the amount of time State-certified  
23 school librarians spend planning with and pro-  
24 viding professional development for teachers;  
25 and

1 (H) other pertinent information that the  
2 Secretary of Education determines is important  
3 in order to support effective school libraries.

4 (c) REPORT TO CONGRESS.—Not later than one year  
5 after the date of enactment of this Act and every two years  
6 thereafter, the Secretary of Education shall submit to  
7 Congress a report that includes the data collected under  
8 this section.

9 (d) ESEA TERMS.—In this section, the terms “ele-  
10 mentary school” and “secondary school” have the mean-  
11 ings given those terms in section 8101 of the Elementary  
12 and Secondary Education Act of 1965 (20 U.S.C. 7801).

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to carry out this section  
15 such sums as may be necessary for each fiscal year.

16 **SEC. 7. LIABILITY PROTECTIONS RELATED TO THE RIGHT**  
17 **TO READ.**

18 (a) IN GENERAL.—Section 8556 of that Act (20  
19 U.S.C. 7946) is amended—

20 (1) by redesignating subsections (b) through (e)  
21 as subsections (c) through (f), respectively;

22 (2) by inserting after subsection (a) the fol-  
23 lowing:

24 “(b) LIABILITY PROTECTIONS RELATED TO THE  
25 RIGHT TO READ.—No teacher, school librarian, school



1 leader, paraprofessional, or other staff shall be liable for  
2 harm caused by an act or omission of such person if the  
3 actions were carried out in conformity with State or local  
4 policies regarding the right to read.”;

5 (3) in subsection (a), in the matter preceding  
6 paragraph (1), by striking “subsection (b)” and in-  
7 serting “subsection (c)”;

8 (4) in subsection (c)(3), as redesignated by  
9 paragraph (1), by striking “A State law that” and  
10 inserting “Except with respect to subsection (b), a  
11 State law that”; and

12 (5) in subsection (f), as redesignated by para-  
13 graph (1)—

14 (A) in paragraph (1), by striking “Nothing  
15 in this section” and inserting “Except with re-  
16 spect to subsection (b), nothing in this section”;  
17 and

18 (B) in paragraph (2), by striking “Nothing  
19 in this subpart” and inserting “Except with re-  
20 spect to subsection (b), nothing in this sub-  
21 part”.

22 (b) PREEMPTION AND ELECTION OF STATE NON-  
23 APPLICABILITY.—Section 8555(b) of that Act (20 U.S.C.  
24 7945(b)) is amended by striking “This subpart shall not

1 apply” and inserting “Except for section 8556(b), this  
2 subpart shall not apply”.

3 **SEC. 8. PROTECTING CONSTITUTIONAL RIGHTS IN SCHOOL**  
4 **LIBRARIES.**

5 Subpart 2 of part F of title VIII of that Act (20  
6 U.S.C. 7901 et seq.) is amended by adding at the end  
7 the following:

8 **“SEC. 8549D. PROTECTING CONSTITUTIONAL RIGHTS IN**  
9 **SCHOOL LIBRARIES.**

10 “The Secretary shall require an assurance from each  
11 State and local educational agency receiving funds under  
12 this Act confirming that the State or local educational  
13 agency—

14 “(1) will protect the First Amendment rights of  
15 students in school libraries and will affirmatively  
16 further the right to receive information by—

17 “(A) providing access to a variety of read-  
18 ing materials;

19 “(B) recognizing that public schools pre-  
20 pare individuals for participation as citizens;

21 “(C) recognizing that school boards have  
22 important and discretionary functions;

23 “(D) acknowledging that among a school  
24 board’s functions is a role to play in deter-  
25 mining the holdings of a school library;

1           “(E) understanding the importance of  
2 First Amendment protections in school libraries  
3 as centers for voluntary inquiry and the dis-  
4 semination of information and ideas;

5           “(F) understanding that school boards  
6 must exercise their discretionary authority in a  
7 manner that comports with First Amendment  
8 protections and imperatives; and

9           “(G) understanding that the exercise of a  
10 school board’s role in determining the holdings  
11 of a school library may not be done in a manner  
12 that is partisan, political, or otherwise aimed at  
13 prescribing particular schools of thought or  
14 opinion; and

15           “(2) will provide equal protection in the conduct  
16 of school libraries in compliance with the require-  
17 ments of the Fourteenth Amendment and non-  
18 discrimination laws.”.

○