



The number of people submitting challenges is growing. Thirty-eight individuals challenged public library materials in Maryland in 2023, up from 11 individuals in 2019. That represents a 245-percent increase.

Maryland's public school libraries have been hit especially hard by these censorship attempts. In a September 2023 survey conducted by the Maryland Association of School Librarians (MASL), 68 percent of respondents reported book challenges in their school districts over a two-year period beginning in the fall of 2021.

Some librarians have started self-censoring when selecting materials for library collections. The MASL survey found that 53 percent of public school librarians reported not purchasing books that they were afraid would be "controversial." Fifty-seven percent reported that book challenges have made their job more difficult and 42 percent said book challenges have had a negative impact on their personal lives and/or interactions in their communities.

With Senate Bill 738, it is the goal of the State that each library is operated in a manner that recognizes the following standards:

- (1) Library materials, services, and resources exist and should be provided for the interest, information, and enlightenment of all persons the library serves;
- (2) a library should not exclude material from its catalog because of the origin, background, or views of a person who created the material;
- (3) a library should not prohibit or remove material from its catalog because of partisan, ideological or religious disapproval;
- (4) the right to use a library belongs to all individuals in the library's community and that right should not be denied or hindered because of an individual's origin, age, background, or views;
- (5) a library should make its public spaces and facilities available to all members of the public it serves on an equitable basis; and
- (6) a library should honor the right of privacy of each individual who uses its services and must protect personal data and information.

In addition, the bill requires school systems to develop and implement a policy and procedures to review objections to materials in the school library media program. This would establish a uniform process to submit objections to materials in a school library media program by a student, parent or guardian of a student enrolled in the school system, or school personnel. It also would require materials under review to remain available for use by students or school personnel until the review process has concluded. As part of that process, school systems must establish a reasonable timeline to conduct and conclude the review process in a timely manner.

The bill prohibits county boards of education and the governing bodies of libraries from retaliating against employees for acting in a manner consistent with the state standards for libraries. An employee may not be dismissed, suspended, disciplined, demoted, reassigned, transferred, or otherwise retaliated against for acting in a manner consistent with the adopted written policy.

Receipt of funding under this bill is contingent on a public library, resource center, or cooperative service program adopting a written policy that is consistent with the state standards for libraries. The state librarian shall authorize the state comptroller to withhold state funds from a library, resource center, or cooperative service program that does not adopt a written policy that is consistent with the state standards for libraries.

The bill will require MSLA to maintain accurate records regarding any policies or procedures developed by public libraries to be in compliance with state law. This will create a minimal impact on Agency work, as protocols are in place to track other compliance documents.

MSLA fully supports the passage of this bill.