



# HOUSE BILL 636: Promoting Wholesome Content for Students.

2025-2026 General Assembly

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<b>Committee:</b>	House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 15, 2025
<b>Introduced by:</b>	Reps. N. Jackson, Biggs, Willis, Balkcom	<b>Prepared by:</b>	Brian Gwyn
<b>Analysis of:</b>	PCS to First Edition H636-CSBE-11		Committee Co-Counsel

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**OVERVIEW:** *The 1st edition of HB 636 would establish criteria and procedures for adding and removing content from school libraries. Additionally, it would create a cause of action for parents, guardians, or residents of a county in which a public school unit is located against public school units that violate any provision of Article 7B of Chapter 115C of the General Statutes, Chapter 114A of the General Statutes, or Part 3 of Article 1A of Chapter 90 of the General Statutes.*

**The PCS would do the following:**

- Provide a one-year timeline for removal of library media that no longer meets the criteria
- Require consideration of library media recommended by the community library advisory committee by the governing body of a public school unit to be completed within 60 days of the recommendation.
- Require the community library advisory committee to evaluate media included at a book fair prior to making the media available to students.
- Make other various clarifying, technical, and conforming changes.
- Limit the cause of action to violations of the school library content procedures.

**CURRENT LAW:** G.S. 115C-98 requires local boards of education to adopt policies on the selection and procurement of supplementary textbooks, library books, periodicals, audiovisual materials, and other supplementary instructional materials needed for instructional purposes. Local boards may establish community media advisory committees to investigate and evaluate challenges to textbooks and supplementary instructional materials on the grounds that they are educationally unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the students. The local board has the sole authority to determine whether a challenge has merit.

Article 7B of Chapter 115C establishes requirements that all public school units must follow, including local boards of education, charter schools, laboratory schools, regional schools, and the schools for the deaf and blind.

**BILL ANALYSIS:** The PCS would define media as any electronic, print, or non-print resources, including drawings, video recordings, films, or other visual depictions or representations, as well as written words. Library media would be any media, excluding textbooks, for independent use by students and school personnel and not used as part of the standard course of study for any grade or course, whether held in a formal school library or in a classroom.

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Governing bodies of public school units would be required to adopt a policy for the selection and procurement of library media. Library media that no longer meets approval criteria would be required to be removed within one year. Library media that still has educational value would be periodically replaced. The review would include any library media that is donated to the public school unit or a school within a public school unit.

A public school unit's policy would be required to include the following:

- The community library advisory committee must identify library media to be recommended for addition to a school library.
- The community library advisory committee must review library media for addition to a school library and determine whether it meets the following criteria:
  - Supports and enriches student's personal learning and the standard course of study for grades and courses offered at the school where the library media would be available.
  - Meets high standards in literary, artistic, and aesthetic quality, as well as technical aspects and physical format.
  - Is appropriate for the age, grade level, intellectual development, and ability level of the students that will have access to the library media. Library media that is appropriate for the age, grade level, intellectual development, and ability level is library media that is suitable for particular ages or age groups of children and adolescents based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. Library media is not appropriate for the age, grade level, intellectual development, and ability level for any age or age group of children if it includes descriptions or visual depictions of sexual activity or is pervasively vulgar.
  - Balances financial cost with need.
  - Complies with the Children's Internet Protection Act, 47 U.S.C. § 254(h)(5), including technology protection measures.
- The community library advisory committee must submit recommendations to the governing body of the public school unit for approval or denial.
- The governing body of the public school unit must consider the recommended library media at meetings of the body.
- For library media to be approved, a governing body must adopt within 60 days a motion for approval made by a member of the governing body.
- Library media recommendations must be placed on the school website, including a form for parents or residents of the county to submit objections to approval.
- If library media receives 10 or more letters of objection, the superintendent must submit the letters to the community library advisory committee.

The community library advisory committee would be made up to 10 members appointed by the local superintendent, including 5 parents from the public school unit and five employees of the governing body of the public school unit. The committee would do all of the following:

- Identify, evaluate, and recommend library media for approval by the governing body of the public school unit.
- Investigate, evaluate, and make recommendations to the governing body regarding objections to library media.

The governing body of the public school unit would be required to publish on a website any library media that has been approved by the governing body and the criteria used to select or procure the library media.

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Prior to any school conducting or partnering with a third party to conduct a student book fair, the community library advisory committee would be required to review all media that would be made available to students at the book fair to determine if the media meets the same criteria that would apply if library media were being added to a school library.

The governing body of the public school unit would be required to maintain a database of rejected library media and report on the contents of that database to the State Board of Education by June 30 each year. The State Board of Education would be required to maintain a publicly available database of library media that are rejected by public school units.

For library media purchased by a public school unit prior to the PCS becoming law, the governing body of the public school unit would be required to use the library advisory committee to investigate and evaluate challenges.

The PCS would create a cause of action that could be brought by any parent, legal guardian, or resident of the county in which the public school unit is located against the public school unit for any violations of these requirements. Any of the following types of relief could be sought:

- Declaratory relief.
- Injunctive relief.
- Damages of five thousand dollars (\$5,000) per violation.
- Reasonable attorneys' fees and costs.
- Any other appropriate relief in the determination of the court.

Prior to filing a legal challenge, a parent, guardian, or resident of the county would be required to exhaust all administrative remedies available under Chapter 115C of the General Statutes.

**EFFECTIVE DATE:** The PCS would be effective when it becomes law.