



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2124

Introduced 2/7/2025, by Sen. Mike Simmons

#### SYNOPSIS AS INTRODUCED:

New Act  
5 ILCS 100/5-45.65 new

Creates the Let America Read Act. Provides that the State Board of Education with oversight over the instructional materials used in public schools shall create a grievance procedure for challenges to instructional materials. Provides that a school district shall designate a Review Committee to review all challenges to instructional materials. Provides that for each formal challenge, the Review Committee shall review the instructional material with the use of clear, objective review criteria created by the State Board. Requires the school district to create a Formal Grievance Procedure for Instructional Materials Form. Provides that upon receipt of a formal complaint, the Review Committee shall hold a minimum of 2 public meetings during a school year to review complaints, welcome input from the public, and generate recommendations to the final decision maker. Provides that the challenged instructional material shall remain accessible in the classroom pending a final determination. Provides that if the challenged instructional material faces a successful objection, then the removal of the instructional material takes effect the school year after the year in which the complaint was filed. Provides that if an instructional material is formally challenged and a final determination is reached, the instructional material shall not be challenged and reviewed by the Review Committee for 3 school years. Grants rulemaking authority to the State Board. Makes a conforming change in the Illinois Administrative Procedure Act.

LRB104 09790 LNS 19856 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Let  
5 America Read Act.

6 Section 5. Definition. As used in this Act, "final  
7 decision maker" means a school board of any school district in  
8 the State, including special charter districts and a district  
9 organized under Article 34 of the School Code.

10 Section 10. Grievance procedure for challenges to  
11 instructional material.

12 (a) Within 90 days after the completion of emergency rules  
13 by the State Board of Education, the State Board of Education,  
14 with oversight over the instructional materials, including  
15 print, digital, online, and remote-learning resources used in  
16 public schools, shall create a grievance procedure for  
17 challenges to instructional materials that complies with this  
18 Act.

19 (b) The grievance procedure shall permit a currently  
20 enrolled student, parent or guardian who permanently resides  
21 in the school district where the parent's or guardian's child  
22 or student attends, or teacher or administrator who is

1 currently employed or under contract with the school district  
2 to challenge instructional materials using a form that follows  
3 the Formal Grievance of Instructional Materials Form provided  
4 for in Section 25. If the child or student is under a shared  
5 parenting agreement, then each parent shall be permitted to  
6 avail themselves of the formal grievance procedure regardless  
7 of where each parent permanently resides.

8 (c) The Review Committee, as outlined in Section 15, shall  
9 first attempt to resolve complaints without resorting to the  
10 formal grievance procedure. A student, parent or guardian, or  
11 teacher filing a complaint under this policy may forego any  
12 informal suggestions or attempts to resolve it and may proceed  
13 directly to the formal grievance procedure. Instructional  
14 materials shall not be removed from the classroom unless the  
15 formal grievance procedure is followed.

16 (d) For all challenges, the Review Committee shall address  
17 the complaint promptly and equitably in accordance with the  
18 timeline outlined in Section 30.

19 (e) A currently enrolled student, parent or guardian who  
20 permanently resides in the school district where the parent's  
21 or guardian's child or student attends, or teacher or  
22 administrator who is currently employed or under contract with  
23 the school district who wishes to avail themselves of the  
24 formal grievance procedure may do so by filing a complaint  
25 using a Formal Grievance of Instructional Materials Form  
26 required by Section 20.

1           (f) The challenged instructional material shall remain  
2 accessible in the classroom pending a final determination  
3 through the formal grievance procedure.

4           (g) The Review Committee shall hold a minimum of 2 public  
5 meetings during a school year to review complaints, welcome  
6 input from the public, and generate recommendations to the  
7 final decision maker. It is recommended that meetings shall be  
8 set around the time of teacher workdays, in service, or  
9 curriculum planning. The Review Committee may schedule more  
10 meetings, public or private, if a simple majority of Review  
11 Committee members deem it necessary to allow for additional  
12 time to review challenged instructional material.

13           (h) For all formal grievances, the Review Committee shall  
14 review the challenged material using the criteria provided in  
15 Section 25. Upon reviewing the challenged instructional  
16 material, the Review Committee shall make a recommendation to  
17 the final decision maker.

18           (i) The final decision maker shall send notice to the  
19 Review Committee of the final decision maker's decision to  
20 follow the recommendation of the Review Committee, deny to  
21 follow the recommendation, or modify the recommendation.

22           (j) If the final decision maker dissents from the Review  
23 Committee's recommendation, then the Review Committee may hold  
24 a vote to override the final decision maker's decision. This  
25 vote must be by two-thirds of Review Committee members to  
26 override.

1           (k) Once a final determination is reached through this  
2 policy regarding the instructional material, the school  
3 district shall notify the complainant of the final  
4 determination through the contact information provided on the  
5 Formal Grievance Procedure for Instructional Materials Form.  
6 The school district shall post the final determination on the  
7 school's website.

8           (l) If the challenged instructional material faces a  
9 successful objection, then the removal of the instructional  
10 material takes effect the school year after the year in which  
11 the final decision was issued on the instructional material by  
12 the final decision maker.

13           (m) When an instructional material is formally challenged  
14 and a final determination is reached, the review committee is  
15 prohibited from reviewing the same material, including newer  
16 editions of the same title, more than once in 3 school years.

17           (n) If the challenger moves from the school district prior  
18 to the year the instructional material is set to be removed  
19 from the classroom, then the challenge shall be considered  
20 void. The instructional material shall remain in the classroom  
21 under this scenario.

22           Section 15. Review Committee composition.

23           (a) A school district shall designate a Review Committee  
24 to review all challenges to instructional materials. The  
25 Review Committee shall consist of the following members:

- 1 (1) at least one librarian;
  - 2 (2) several teachers;
  - 3 (3) at least one school or district-level
  - 4 administrator;
  - 5 (4) trained students; and
  - 6 (5) community members.
- 7 (b) The number of community members on the Review
- 8 Committee shall not outnumber the individuals provided in
- 9 paragraphs (1) through (4).

10 Section 20. Criteria for the Review Committee to evaluate

11 formal challenges to instructional material. For each formal

12 challenge, the Review Committee shall review the instructional

13 material with the use of clear, objective review criteria

14 created by the State Board of Education, including:

- 15 (1) the accuracy and completeness of the instructional
- 16 material;
- 17 (2) the instructional material's importance to
- 18 curriculum;
- 19 (3) the reviews, awards, and recommendations by
- 20 educational experts relating to the instructional
- 21 material;
- 22 (4) whether the instructional material is age
- 23 appropriate;
- 24 (5) refers to if students have relevant age, maturity,
- 25 and literacy skills to comprehend the instructional

1 material's message;

2 (6) the criteria should state that the presence of  
3 specific content, such as sexuality or violence, does not  
4 in itself render a book inappropriate;

5 (7) whether the instructional material is popular  
6 among students;

7 (8) the length of time material has been in use; and

8 (9) whether there is a presence of timely  
9 sociopolitical issues.

10 Section 25. Requirements of the Formal Grievance Procedure  
11 for Instructional Materials Form.

12 (a) The school district shall create a Formal Grievance  
13 Procedure for Instructional Materials Form that complies with  
14 the requirements of this Section.

15 (b) The Formal Grievance Procedure for Instructional  
16 Materials Form shall include space for a complainant to:

17 (1) identify themselves as the complainant and their  
18 relation to the school district, such as a parent or  
19 teacher;

20 (2) provide contact information, including email,  
21 phone number, and address;

22 (3) describe the complainant's objection to the  
23 instructional material and the pages where the objection  
24 occur;

25 (4) establish familiarity with the work as a whole.

1 The complainant should have read the instructional  
2 material in its entirety and be able to identify  
3 objectionable portions in context;

4 (5) explain why the complainant considers the work  
5 inappropriate, taking into consideration the teacher's  
6 justification for using it; and

7 (6) offer a suggestion for alternative material that  
8 is of comparable educational quality. This is intended to  
9 help the Review Committee assess the complainants'  
10 judgment and motives.

11 Section 30. Timeline for challenges to instructional  
12 material.

13 (a) For all challenges, the Review Committee shall address  
14 the complaint promptly and equitably in accordance with this  
15 Section.

16 (b) Upon receipt of a formal complaint, the Review  
17 Committee shall hold a minimum of 2 public meetings during a  
18 school year to review complaints, welcome input from the  
19 public, and generate recommendations to the final decision  
20 maker.

21 (c) The challenged instructional material shall remain  
22 accessible in the classroom pending a final determination  
23 through the formal grievance procedure.

24 (d) If the challenged instructional material faces a  
25 successful objection, then the removal of the instructional

1 material takes effect the school year after the year in which  
2 the complaint was filed.

3 (e) If instructional material is formally challenged and a  
4 final determination is reached, the instructional material  
5 shall not be challenged and reviewed by the Review Committee  
6 for 3 school years.

7 Section 35. Rulemaking authority. The State Board of  
8 Education shall adopt rules necessary to establish and  
9 implement this Act through the use of emergency rulemaking in  
10 accordance with Section 5-45 of the Illinois Administrative  
11 Procedure Act. The State Board of Education shall create  
12 clear, objective review criteria that complies with Section  
13 20. For purposes of that Act, the General Assembly finds that  
14 the adoption of rules to implement this Act is deemed an  
15 emergency and necessary for the public interest, safety, and  
16 welfare.

17 Section 40. The Illinois Administrative Procedure Act is  
18 amended by adding Section 5-45.65 as follows:

19 (5 ILCS 100/5-45.65 new)

20 Sec. 5-45.65. Emergency rulemaking; State Board of  
21 Education. To provide for the expeditious and timely  
22 implementation of the Let America Read Act, emergency rules  
23 implementing the Let America Read Act may be adopted in

1 accordance with Section 5-45 by the State Board of Education.  
2 The adoption of emergency rules authorized by Section 5-45 and  
3 this Section is deemed to be necessary for the public  
4 interest, safety, and welfare.

5 This Section is repealed one year after the effective date  
6 of this amendatory Act of the 104th General Assembly.