

STATE OF NEW YORK

40

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. L. ROSENTHAL, BUTTENSCHON, RIVERA -- read once
and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring a school
library media specialist in each elementary, intermediate, middle,
junior high and senior high school

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 286 to
2 read as follows:

3 § 286. School library media specialist. 1. Notwithstanding any other
4 provision of law to the contrary and subject to the provisions of subdi-
5 vision two of this section, each school district shall employ a certi-
6 fied school library media specialist in each elementary, intermediate,
7 middle, junior high and senior high school within three years of the
8 effective date of this section.

9 2. Employment of certified school library media specialist shall be in
10 accordance with the following standards:

11 a. In each school with an enrollment of not more than one hundred
12 students, a certified school library media specialist shall be employed
13 as fifteen-hundredths of a full-time equivalent staff member;

14 b. In each school with an enrollment of more than one hundred but not
15 more than three hundred students, a certified school library media
16 specialist shall be employed as a three-tenths of a full-time equivalent
17 staff member;

18 c. In each elementary or secondary school with an enrollment of more
19 than three hundred but no more than five hundred students, a certified
20 school library media specialist shall be employed as a one-half of a
21 full-time equivalent staff member;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 d. In each school with an enrollment of more than five hundred
2 students, a certified school library media specialist shall be employed
3 as a full-time equivalent staff member;

4 e. In each school with an enrollment of more than one thousand
5 students but no more than two thousand students, a certified school
6 library media specialist and a support staff person shall be employed as
7 a full-time equivalent staff member;

8 f. (i) In each school with an enrollment of at least two thousand
9 students, two certified school library media specialists and two support
10 staff persons shall be employed as a full-time equivalent staff member;

11 (ii) An additional full-time equivalent staff member shall be employed
12 as a support staff person for each additional one thousand students
13 enrolled in a school.

14 3. The commissioner may, upon application by a school district, waive
15 the applicability of the provisions of subdivisions one and two of this
16 section for up to two years, if such application demonstrates the school
17 is within a designated shortage area for certified school library media
18 specialists, and such application demonstrates that such school has a
19 two-year plan to be in compliance with the provisions of this section;
20 however, no such waiver shall be granted for more than two consecutive
21 school years.

22 § 2. Subdivision 2 of section 711 of the education law, as amended by
23 section 2 of part A-1 of chapter 58 of the laws of 2011, is amended to
24 read as follows:

25 2. School library materials, for the purposes of this article shall
26 mean both audio/visual materials and printed materials that may or may
27 not require magnification which meet all of the following criteria: (1)
28 materials which are catalogued and processed as part of the school
29 library or media center for use by elementary and/or secondary school
30 children and teachers; (2) materials which with reasonable care and use
31 may be expected to last more than one year; and (3) materials which
32 would not be eligible for aid pursuant to sections seven hundred one and
33 seven hundred fifty-one of this title. School library materials meeting
34 these criteria may include (i) hard cover and paperback books, period-
35 icals, that is, publications which appear at regular intervals of less
36 than one year on a continuing basis for an indefinite period, documents
37 other than books, pamphlets, musical scores, other printed and published
38 materials, and (ii) for school year nineteen hundred eighty-six--eight-
39 y-seven and thereafter, audio/visual materials including films, film
40 strips, micro-film, sound recordings, processed slides, transparencies,
41 kinescopes, video tapes, maps, charts, globes, pictorial works, includ-
42 ing pictures and picture sets, reproductions, photographs, graphic
43 works, any audio/visual, online or electronic materials needed for media
44 literacy programs, and any other audio/visual materials of a similar
45 nature made.

46 § 3. This act shall take effect on the first of July next succeeding
47 the date on which it shall have become a law. Effective immediately, the
48 addition, amendment and/or repeal of any rule or regulation necessary
49 for the implementation of this act on its effective date are authorized
50 to be made and completed on or before such effective date.