

STATE OF NEW YORK

6225

2021-2022 Regular Sessions

IN ASSEMBLY

March 10, 2021

Introduced by M. of A. L. ROSENTHAL -- 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 Assembly, 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.

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

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

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

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

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

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

LBD09927-01-1

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

5 f. (i) In each school with an enrollment of at least two thousand
6 students, two certified school library media specialists and two library
7 clerks shall be employed as a full-time equivalent staff member;

8 (ii) An additional full-time equivalent staff member shall be employed
9 as a library clerk for each additional one thousand students enrolled in
10 a school.

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

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

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

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