S T A T E O F N E W Y O R K

3276

2009-2010 Regular Sessions

I N A S S E M B L Y

January 23, 2009

Introduced by M. of A. EDDINGTON -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing the reading for educational achievement and development program (READ)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. The legislature hereby finds that high quality reading skills form the basis for educational success and hereby determines that a program to promote high quality reading skills shall be established. This program shall be known as the reading for educational achievement and development program (READ). This program shall provide for the collection and distribution of books which are age appropriate for children enrolled in public schools or registered nonpublic schools. This program shall be designed to provide for the collection of reading materials and for the distribution of such collected reading materials primarily to children who do not otherwise have access to reading materials in the home. This program shall recognize the fact that the bookshelves of some homes have significant numbers of books that children have outgrown. In addition, many homes lack appropriate reading materials for children. The distribution of books to children who lack reading resources is designed to give these children the opportunity to develop their reading and writing skills outside of the school setting.

S 2. The education law is amended by adding a new section 319 to read as follows:

S 319. READING FOR EDUCATIONAL ACHIEVEMENT AND DEVELOPMENT PROGRAM (READ). 1. THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT A PROGRAM TO BE KNOWN AS THE "READING FOR EDUCATIONAL ACHIEVEMENT AND DEVELOPMENT PROGRAM" (READ).

2. AS USED IN THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

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

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(A) "DONOR SCHOOLS" SHALL MEAN PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, OR REGISTERED NONPUBLIC SCHOOLS WHICH HAVE OPTED TO PARTICIPATE IN THE READ PROGRAM.

(B) "RECIPIENT SCHOOLS" SHALL MEAN PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, OR REGISTERED NONPUBLIC SCHOOLS WHICH THE COMMISSIONER DETERMINES ARE ELIGIBLE TO RECEIVE BOOKS THAT ARE COLLECTED PURSUANT TO THIS SECTION.

(C) "COLLECTION ENTITY" SHALL MEAN BOARDS OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) OR A SCHOOL DISTRICT LOCATED IN A CITY WITH GREATER THAN ONE HUNDRED TWENTY-FIVE THOUSAND INHABITANTS.

3. THE COMMISSIONER SHALL, WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS SECTION, AFTER CONSULTATION WITH REPRESENTATIVES OF BOCES, REPRESENTATIVES OF SCHOOL BOARDS ASSOCIATIONS, AND TEACHERS' ORGANIZATIONS, PROMULGATE REGULATIONS TO ESTABLISH A PROCESS BY WHICH COLLECTION ENTITIES COLLECT AND REDISTRIBUTE BOOKS. SUCH REGULATIONS SHALL REQUIRE THAT BY JULY FIRST OF EACH YEAR, ALL COLLECTION ENTITIES SHALL CONTACT ALL DONOR AND RECIPIENT SCHOOLS TO INFORM THEM OF THEIR ABILITY TO PARTICIPATE IN READ. EACH DONOR AND RECIPIENT SCHOOL SHALL RESPOND BY AUGUST FIRST OF EACH YEAR REGARDING THEIR INTENT TO PARTICIPATE IN READ FOR THAT SCHOOL YEAR. EACH PARTICIPATING DONOR SCHOOL SHALL ESTABLISH A COLLECTION POINT FOR BOOKS AND SHALL OPERATE A BOOK DRIVE EVERY YEAR DURING WHICH SUCH SCHOOL PARTICIPATES IN READ. PERIODICALLY DURING EACH SCHOOL YEAR ALL PARTICIPATING DONOR SCHOOLS SHALL SEND SUCH COLLECTED BOOKS TO THE DESIGNATED COLLECTION ENTITY.

4. THE COMMISSIONER SHALL SET FORTH REGULATIONS WHICH SPECIFY HOW COLLECTION ENTITIES SHALL DISTRIBUTE BOOKS COLLECTED PURSUANT TO THIS SECTION.

5. THE COMMISSIONER SHALL SET FORTH REGULATIONS TO SET THE CRITERIA FOR CHOOSING RECIPIENT SCHOOLS WHICH SHALL BE BASED ON THE READING LEVELS OF CHILDREN WHO ARE ENROLLED IN THE SCHOOL AS MEASURED BY THE APPROPRIATE STATE ASSESSMENT. SUCH REGULATIONS SHALL ALSO SPECIFY THE PROCEDURES AND CRITERIA FOR RECIPIENT SCHOOLS TO DISTRIBUTE BOOKS TO STUDENTS. THE COMMISSIONER SHALL DEVELOP GUIDELINES FOR COLLECTION ENTITIES AND RECIPIENT SCHOOLS THAT SPECIFY THE MANNER BY WHICH THE COLLECTION ENTITIES SHALL DETERMINE THE AGE APPROPRIATENESS OF READING MATERIALS.

6. ON OR BEFORE JULY FIRST, TWO THOUSAND TEN, THE COMMISSIONER SHALL REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON READ AND SHALL SPECIFY THE NUMBER OF BOOKS COLLECTED BY EACH COLLECTION ENTITY, A LIST OF ALL PARTICIPATING DONOR AND RECIPIENT SCHOOLS, THE NUMBER OF BOOKS COLLECTED FROM EACH PARTICIPATING DONOR SCHOOL AND THE NUMBER OF BOOKS DISTRIBUTED TO EACH RECIPIENT SCHOOL.

S 3. Subdivision 4 of section 1950 of the education law is amended by adding a new paragraph oo to read as follows:

OO. PURSUANT TO THE PROVISIONS OF SECTION THREE HUNDRED NINETEEN OF THIS CHAPTER, COLLECT AND DISTRIBUTE READING MATERIALS FOR CHILDREN ENROLLED IN PUBLIC SCHOOLS, CHARTER SCHOOLS AND REGISTERED NONPUBLIC SCHOOLS. ALL COSTS ASSOCIATED WITH THE PROVISIONS OF THIS PARAGRAPH SHALL NOT BE DEEMED AN AIDABLE SHARED SERVICE BY THE COMMISSIONER.

S 4. This act shall take effect immediately.