3560--A

2013-2014 Regular Sessions

IN ASSEMBLY

January 28, 2013

Introduced by M. of A. NOLAN, CLARK, QUART, BARRON, ENGLEBRIGHT, MILL-MAN, ROBERTS, JAFFEE, KEARNS, ESPINAL, MAGNARELLI, SOLAGES, COLTON, COOK, RUSSELL, HOOPER, MOSLEY -- Multi-Sponsored by -- M. of A. ARROYO, BRENNAN, BROOK-KRASNY, FARRELL, GOTTFRIED, McDONALD, SCHIMEL -- read once and referred to the Committee on Libraries and Education Technology -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the distribution of library card applications and information in public schools

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 816 to 2 read as follows:

3 S 816. LOCAL LIBRARY AND SCHOOL PARTNERSHIPS. 1. LEGISLATIVE INTENT. 4 IN ORDER TO PROMOTE AND ENCOURAGE CHILDREN TO READ AND LEARN OUTSIDE THE 5 CLASSROOM, THIS LAW SEEKS TO ENCOURAGE LOCAL LIBRARIES AND SCHOOLS TO 6 WORK TOGETHER TO PROMOTE THE AVAILABILITY OF LIBRARY SERVICES AND 7 RESOURCES.

8 2. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS9 SHALL BE DEFINED AS FOLLOWS:

10 A. "SCHOOL DISTRICT" SHALL MEAN ANY PUBLIC SCHOOL DISTRICT IN THE 11 STATE OF NEW YORK THAT CONTAINS ONE OR MORE SCHOOLS WITH ANY COMBINATION 12 OF GRADES FROM AND INCLUDING KINDERGARTEN THROUGH GRADE TWELVE.

13 B. "PUBLIC LIBRARY" SHALL MEAN ANY PUBLIC OR ASSOCIATION LIBRARY AS 14 DEFINED IN SECTION TWO HUNDRED FIFTY-THREE OF THIS TITLE.

3. UPON THE REQUEST OF A PUBLIC LIBRARY THAT IS LOCATED WITHIN 15 THE BOUNDARIES OF A SCHOOL DISTRICT, THE DISTRICT SHALL DISSEMINATE INFORMA-16 TIONAL MATERIALS PROVIDED BY THE LIBRARY REGARDING THE PUBLIC LIBRARY 17 18 AND APPLICATIONS FOR PUBLIC LIBRARY CARDS TO STUDENTS ENROLLED IN THE 19 SCHOOL DISTRICT. SUCH MATERIALS SHALL BE DISTRIBUTED TO ANY OR ALL OF 20 THE FOLLOWING, AS REQUESTED BY THE PUBLIC LIBRARY:

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

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1 A. ANNUALLY TO EVERY STUDENT OF SUCH SCHOOL DISTRICT UPON HIS OR HER 2 ENTRY INTO KINDERGARTEN, GRADE SIX AND GRADE NINE, EXCEPT THAT A LIBRARY 3 AND SCHOOL MAY AGREE TO ALTERNATE OR ADDITIONAL GRADES;

4 B. TO EVERY STUDENT UPON HIS OR HER ENROLLMENT AS A NEW STUDENT; AND

5 C. AVAILABLE AT ALL TIMES IN THE SCHOOL LIBRARY IN EACH SCHOOL WITHIN 6 THE SCHOOL DISTRICT FOR STUDENTS AND PARENTS WHO WISH TO OBTAIN SUCH 7 MATERIALS.

8 4. THE DIRECTOR OF EACH PARTICIPATING PUBLIC LIBRARY SHALL CONSULT 9 ANNUALLY WITH THE SCHOOL DISTRICT IN ORDER TO COORDINATE THE PROVISION 10 OF MATERIALS CONTAINING INFORMATION REGARDING THE LIBRARY, INSTRUCTIONS 11 ON HOW STUDENTS MAY OBTAIN A LIBRARY CARD AND AN APPLICATION FOR A 12 LIBRARY CARD.

5. EACH PUBLIC LIBRARY THAT IS LOCATED IN THE SCHOOL DISTRICT SHALL
PROVIDE SUFFICIENT COPIES OF SUCH MATERIALS TO THE SCHOOL DISTRICT FOR
DISTRIBUTION AS DESCRIBED IN SUBDIVISION THREE OF THIS SECTION SO THAT
EACH SCHOOL MAY SATISFY THE REQUIREMENTS OF THIS SECTION.
6. IN THE EVENT THERE IS NO PUBLIC LIBRARY LOCATED WITHIN THE BOUNDA-

17 6. IN THE EVENT THERE IS NO PUBLIC LIBRARY LOCATED WITHIN THE BOUNDA-18 RIES OF A SCHOOL DISTRICT, SUCH SCHOOL DISTRICT SHALL NOT BE REQUIRED TO 19 COMPLY WITH THIS SECTION.

20 7. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO ESTABLISH RULES AND 21 REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

8. NOTHING IN THIS ACT SHALL REQUIRE A SCHOOL DISTRICT TO EXPEND ADDITIONAL FUNDS IN ORDER TO COMPLY WITH THE PROVISIONS OF THIS SECTION.

9. THIS SECTION SHALL NOT APPLY TO A SCHOOL DISTRICT OR A LIBRARY IN A CITY OF ONE MILLION OR MORE WHERE SUCH DISTRICT OR LIBRARY ARE SUBJECT TO A LOCAL LAW WHICH WAS ADOPTED PRIOR TO THE ENACTMENT OF THIS SECTION AND WHICH PROVIDES FOR THE DISTRIBUTION OF LIBRARY MATERIALS IN PUBLIC SCHOOLS.

29 S 2. This act shall take effect on the first of September next 30 succeeding the date on which it shall have become a law.