S T A T E   O F   N E W   Y O R K
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3560--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 28, 2013
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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 ASSEM-
BLY, 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 TERMS
 9 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.
15   3. UPON THE REQUEST OF A PUBLIC LIBRARY THAT IS LOCATED WITHIN THE
16 BOUNDARIES OF A SCHOOL DISTRICT, THE DISTRICT SHALL DISSEMINATE INFORMA-
17 TIONAL MATERIALS PROVIDED BY THE LIBRARY REGARDING THE PUBLIC LIBRARY
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.

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.
13   5. EACH PUBLIC LIBRARY THAT IS LOCATED IN THE SCHOOL DISTRICT SHALL
14 PROVIDE SUFFICIENT COPIES OF SUCH MATERIALS TO THE SCHOOL DISTRICT FOR
15 DISTRIBUTION AS DESCRIBED IN SUBDIVISION THREE OF THIS SECTION SO THAT
16 EACH SCHOOL MAY SATISFY THE REQUIREMENTS OF THIS SECTION.
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.
22   8. NOTHING IN THIS ACT SHALL REQUIRE A SCHOOL DISTRICT TO EXPEND ADDI-
23 TIONAL FUNDS IN ORDER TO COMPLY WITH THE PROVISIONS OF THIS SECTION.
24   9. THIS SECTION SHALL NOT APPLY TO A SCHOOL DISTRICT OR A LIBRARY IN A
25 CITY OF ONE MILLION OR MORE WHERE SUCH DISTRICT OR LIBRARY ARE SUBJECT
26 TO A LOCAL LAW WHICH WAS ADOPTED PRIOR TO THE ENACTMENT OF THIS SECTION
27 AND WHICH PROVIDES FOR THE DISTRIBUTION OF LIBRARY MATERIALS IN PUBLIC
28 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.