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

3931

2015-2016 Regular Sessions

I N  S E N A T E

February 23, 2015

Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to librarians of school libraries; and to repeal certain provisions of such law relating thereto

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

Section 1. Section 275 of the education law is REPEALED and a new section 275 is added to read as follows:

S 275. LIBRARIANS OF SCHOOL LIBRARIES. 1. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, AND SUBJECT TO THE PROVISIONS OF SECTION TWO HUNDRED SEVENTY-FOUR OF THIS PART, AND SUBDIVISION THREE OF THIS SECTION, EACH SCHOOL DISTRICT IN THE STATE SHALL HAVE AND MAINTAIN A SCHOOL LIBRARY IN EACH ELEMENTARY AND SECONDARY SCHOOL IN THE DISTRICT, AND SHALL EMPLOY A CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST FOR EACH SUCH SCHOOL LIBRARY WITHIN THREE YEARS OF THE EFFECTIVE DATE OF THIS SECTION.

2. EMPLOYMENT OF CERTIFIED SCHOOL LIBRARY MEDIA SPECIALISTS SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

A. IN EACH ELEMENTARY OR SECONDARY SCHOOL WITH AN ENROLLMENT OF NOT MORE THAN ONE HUNDRED PUPILS, A CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST SHALL BE EMPLOYED AS FIFTEEN HUNDREDTHS OF A FULL-TIME EQUIVALENT STAFF MEMBER;

B. IN EACH ELEMENTARY OR SECONDARY SCHOOL WITH AN ENROLLMENT OF MORE THAN ONE HUNDRED BUT NOT MORE THAN THREE HUNDRED PUPILS, A CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST SHALL BE EMPLOYED AS A THREE-TENTHS OF A FULL-TIME EQUIVALENT STAFF MEMBER;

C. IN EACH ELEMENTARY OR SECONDARY SCHOOL WITH AN ENROLLMENT OF MORE THAN THREE HUNDRED BUT NO MORE THAN FIVE HUNDRED PUPILS, A CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST SHALL BE EMPLOYED AS A ONE HALF OF A FULL-TIME EQUIVALENT STAFF MEMBER;

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

LBD07876-01-5

D. IN EACH ELEMENTARY OR SECONDARY SCHOOL WITH AN ENROLLMENT OF MORE THAN FIVE HUNDRED PUPILS, A CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST SHALL BE EMPLOYED AS A FULL-TIME EQUIVALENT STAFF MEMBER;

E. (I) IN EACH ELEMENTARY OR SECONDARY SCHOOL WITH AN ENROLLMENT OF MORE THAN TWO THOUSAND PUPILS, TWO CERTIFIED SCHOOL LIBRARY MEDIA SPECIALISTS SHALL EACH BE EMPLOYED AS A FULL-TIME EQUIVALENT STAFF MEMBER;

(II) AN ADDITIONAL CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST SHALL BE EMPLOYED AS A FULL-TIME EQUIVALENT STAFF MEMBER FOR EACH ADDITIONAL ONE THOUSAND PUPILS ENROLLED IN AN ELEMENTARY OR SECONDARY SCHOOL.

F. (I) IN EACH ELEMENTARY OR SECONDARY SCHOOL WITH AN ENROLLMENT OF AT LEAST ONE THOUSAND PUPILS, A FULL-TIME EQUIVALENT STAFF MEMBER SHALL BE EMPLOYED AS A LIBRARY CLERK.

(II) AN ADDITIONAL FULL-TIME EQUIVALENT STAFF MEMBER SHALL BE EMPLOYED AS A LIBRARY CLERK FOR EACH ADDITIONAL ONE THOUSAND PUPILS ENROLLED IN AN ELEMENTARY OR SECONDARY SCHOOL.

3. THE COMMISSIONER MAY, UPON APPLICATION BY A SCHOOL DISTRICT, WAIVE THE APPLICABILITY OF THE PROVISIONS OF SUBDIVISIONS ONE AND TWO OF THIS SECTION FOR UP TO ONE YEAR, IF SUCH APPLICATION DEMONSTRATES THE ELEMENTARY OR SECONDARY SCHOOL IS WITHIN A DESIGNATED SHORTAGE AREA FOR CERTIFIED SCHOOL LIBRARY MEDIA SPECIALISTS, AND SUCH APPLICATION DEMONSTRATES THAT AN ACTUAL OFFER OF EMPLOYMENT WAS MADE TO A CERTIFIED SCHOOL LIBRARY MEDIA SPECIALIST; HOWEVER, NO SUCH WAIVER SHALL BE GRANTED FOR MORE THAN TWO CONSECUTIVE SCHOOL YEARS, AND NO MORE THAN TWO WAIVERS MAY BE GRANTED WITH A FIVE YEAR PERIOD.

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