

# STATE OF NEW YORK

6053

2021-2022 Regular Sessions

## IN SENATE

March 31, 2021

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

AN ACT to amend the education law, in relation to establishing requirements for elementary and secondary school libraries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 274 of the education law is amended to read as  
2 follows:

3 § 274. Use and care of school library. 1. The school library shall be  
4 a part of the school equipment and shall be kept in the school building  
5 at all times. Such library shall be devoted to the exclusive use of the  
6 school, except as otherwise provided by the rules of the commissioner of  
7 education and except in a district where there is no free library, in  
8 which case such school library shall be a circulating library for the  
9 use of the residents of the district.

10 2. Each school library shall:

11 a. provide physical access to resources including, but not limited to,  
12 books, technological equipment, media, and other tangible documents;

13 b. provide digital access to resources including, but not limited to,  
14 e-books, databases, software and media;

15 c. provide equitable, flexible access to library space and its staff  
16 by school students, staff and faculty; and

17 d. receive a budget allocation on a per student basis to ensure  
18 resources and services remain relevant.

19 3. Each school district shall annually evaluate their school library  
20 using a school library program rubric created by the department.

21 4. The commissioner of education shall prescribe rules regulating

22 [~~1.~~] a. The purchase, recording, safekeeping and loaning of books in  
23 school libraries, and the use of such books by pupils and teachers in  
24 the public schools.

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

LBD10405-02-1

1     ~~[2-]~~ b. The conditions under which books in a school library may be  
2 used by the public in a district in which a free library is situated.

3     ~~[3-]~~ c. The management of school libraries and their use as circulat-  
4 ing libraries by the residents of the district in which they are situ-  
5 ated.

6     ~~[4-]~~ d. The contents and submission of reports of school librarians,  
7 teachers and other school authorities as to school libraries.

8     § 2. This act shall take effect on the first of July next succeeding  
9 the date on which it shall have become a law. Effective immediately, the  
10 addition, amendment and/or repeal of any rule or regulation necessary  
11 for the implementation of this act on its effective date are authorized  
12 to be made and completed on or before such effective date.