STATE OF NEW YORK

8212

IN SENATE

February 2, 2022

Introduced by Sen. RYAN -- 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 requiring a school library media specialist in each elementary, intermediate, middle, junior high and senior high school

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

Section 1. The education law is amended by adding a new section 286 to read as follows:

§ 286. School library media specialist. 1. Notwithstanding any other provision of law to the contrary and subject to the provisions of subdivision two of this section, each school district shall employ a certified school library media specialist in each elementary, intermediate, middle, junior high and senior high school within three years of the effective date of this section.

2. Employment of certified school library media specialist shall be in accordance with the following standards:

a. In each school with an enrollment of not more than one hundred students, a certified school library media specialist shall be employed as fifteen-hundredths of a full-time equivalent staff member;

b. In each school with an enrollment of more than one hundred but not more than three hundred students, 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 students, a certified school library media specialist shall be employed as a one-half of a full-time equivalent staff member;

d. In each school with an enrollment of more than five hundred students, a certified school library media specialist shall be employed as a full-time equivalent staff member;

e. In each school with an enrollment of more than one thousand students but no more than two thousand students, a certified school

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

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library media specialist and a support staff person shall be employed as a full-time equivalent staff member;

f. (i) In each school with an enrollment of at least two thousand students, two certified school library media specialists and two support staff persons shall be employed as a full-time equivalent staff member;

(ii) An additional full-time equivalent staff member shall be employed as a support staff person for each additional one thousand students enrolled in a 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 two years, if such application demonstrates the school is within a designated shortage area for certified school library media specialists, and such application demonstrates that such school has a two-year plan to be in compliance with the provisions of this section; however, no such waiver shall be granted for more than two consecutive school years.

§ 2. Subdivision 2 of section 711 of the education law, as amended by section 2 of part A-1 of chapter 58 of the laws of 2011, is amended to read as follows:

2. School library materials, for the purposes of this article shall mean both audio/visual materials and printed materials that may or may not require magnification which meet all of the following criteria: (1) materials which are catalogued and processed as part of the school library or media center for use by elementary and/or secondary school children and teachers; (2) materials which with reasonable care and use may be expected to last more than one year; and (3) materials which would not be eligible for aid pursuant to sections seven hundred one and seven hundred fifty-one of this title. School library materials meeting these criteria may include (i) hard cover and paperback books, periodicals, that is, publications which appear at regular intervals of less than one year on a continuing basis for an indefinite period, documents other than books, pamphlets, musical scores, other printed and published materials, and (ii) for school year nineteen hundred eighty-six--eighty-seven and thereafter, audio/visual materials including films, film strips, micro-film, sound recordings, processed slides, transparencies, kinescopes, video tapes, maps, charts, globes, pictorial works, including pictures and picture sets, reproductions, photographs, graphic works, **any audio/visual, online or electronic materials needed for media literacy programs,** and any other audio/visual materials of a similar nature made.

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