

# 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:

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

3 § 286. School library media specialist. 1. Notwithstanding any other  
4 provision of law to the contrary and subject to the provisions of subdi-  
5 vision two of this section, each school district shall employ a certi-  
6 fied school library media specialist in each elementary, intermediate,  
7 middle, junior high and senior high school within three years of the  
8 effective date of this section.

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

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

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

18 c. In each elementary or secondary school with an enrollment of more  
19 than three hundred but no more than five hundred students, a certified  
20 school library media specialist shall be employed as a one-half of a  
21 full-time equivalent staff member;

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

25 e. In each school with an enrollment of more than one thousand  
26 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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1 library media specialist and a support staff person shall be employed as  
2 a full-time equivalent staff member;

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

6 (ii) An additional full-time equivalent staff member shall be employed  
7 as a support staff person for each additional one thousand students  
8 enrolled in a school.

9 3. The commissioner may, upon application by a school district, waive  
10 the applicability of the provisions of subdivisions one and two of this  
11 section for up to two years, if such application demonstrates the school  
12 is within a designated shortage area for certified school library media  
13 specialists, and such application demonstrates that such school has a  
14 two-year plan to be in compliance with the provisions of this section;  
15 however, no such waiver shall be granted for more than two consecutive  
16 school years.

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

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

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