# STATE OF NEW YORK

3174

2023-2024 Regular Sessions

# IN ASSEMBLY

February 2, 2023

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Education

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:**

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

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

**2. Each school library shall:**

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

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

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

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

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

**4.** The commissioner of education shall prescribe rules regulating

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

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

LBD06257-01-3

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

[~~3.~~] **c.** The management of school libraries and their use as circulating libraries by the residents of the district in which they are situated.

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

§ 2. 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.