STATE OF NEW YORK

8891

IN ASSEMBLY

January 26, 2024

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

AN ACT to amend the education law, in relation to enacting the "media literacy act of 2024"

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

Section 1. Short title. This act shall be known and may be cited as the "media literacy act of 2024".

§ 2. Subdivision 2 of section 3006-a of the education law, as added by section 2 of subpart C of part EE of chapter 56 of the laws of 2015, is amended and a new subdivision 4 is added to read as follows:

2. a. During each five-year registration period beginning on or after July first, two thousand sixteen, an applicant for registration shall successfully complete a minimum of one hundred hours of continuing teacher and leader education, as defined by the commissioner. The department shall issue rigorous standards for courses, programs, and activities, that shall qualify as continuing teacher and leader education pursuant to this section. For purposes of this section, a peer review teacher, or a principal acting as an independent trained evaluator, conducting a classroom observation as part of the teacher evaluation system pursuant to section three thousand twelve-d of this article may credit such time towards his or her continuing teacher and leader effectiveness requirements.

b. **During each five-year registration period beginning on or after a date which shall be determined by the commissioner, any teacher who is an applicant for registration shall successfully complete a minimum of five hours of professional development related to media literacy education and any library media specialist shall complete a minimum of fifteen hours of professional development related to media literacy education, as defined by the commissioner. Such professional development related to media literacy education shall be counted toward the one hundred hours of continuing teacher and leader education required by paragraph a of this subdivision. The commissioner shall require that:**

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

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(i) professional development related to media literacy education incorporates the principles and practices of the department's culturally responsive-sustaining framework;

(ii) professional development related to media literacy education is provided by or in coordination with a library media specialist or an employee from a school district's library system in every school district;

(iii) library media specialists in every school district receive specific training in how to provide professional development related to media literacy education to teachers of all grade levels and subject areas contained in their schools, which shall include instruction on how to effectively integrate media literacy education into such teachers' curricula; and

(iv) the department creates and provides model curricula, teaching and professional development resources on its website, which incorporate media literacy education.

c. Nothing in this section shall limit the ability of local school districts to agree pursuant to collective bargaining to additional hours of professional development or continuing teacher or leader education above the minimum requirements set forth in this section.

[~~c.~~] d. A certified individual who has not satisfied the continuing teacher and leader education requirements shall not be issued a five-year registration certificate by the department and shall not practice unless and until a registration or conditional registration certificate is issued as provided in subdivision three of this section. For purposes of this subdivision, "continuing teacher and leader education requirements" shall mean activities designed to improve the teacher or leader's pedagogical and/or leadership skills, targeted at improving student performance, including but not limited to formal continuing teacher and leader education activities. Such activities shall promote the professionalization of teaching and be closely aligned to district goals for student performance which meet the standards prescribed by regulations of the commissioner. To fulfill the continuing teacher and leader education requirement, programs must be taken from sponsors approved by the department, which shall include but not be limited to school districts, pursuant to the regulations of the commissioner.

4. For the purposes of this section, "library media specialist" shall mean an individual employed by a school district as a library media specialist pursuant to 8 NYCRR 91.2.

§ 3. 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 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.

§ 4. Subdivision 2 of section 711 of the education law, as amended by chapter 571 of the laws of 2023, is amended to read as follows:

2. School library materials, for the purposes of this article shall mean digital materials, 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, paperback books and e-books, periodicals, that is, print and digital publications which are subscription-based and 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, digital and published materials, (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.

§ 5. For the purposes of sections five, six, seven and eight of this act, the following terms shall have the following meanings:

1. "Digital citizenship" means a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior.

2. "Media literacy" means the ability to access, analyze, evaluate, and use media and information and encompasses the foundational skills that lead to digital citizenship.

§ 6. The commissioner of education, in cooperation with experts in media literacy, the board of regents of the university of the state of New York, and educators, shall appoint a media literacy advisory committee ("committee") to conduct a study on teaching of media literacy in schools.

§ 7. The group shall create a survey and submit to each school administrator in the state to provide feedback from teachers and students to the state board of education to identify media literacy best practices of and the current media literacy resources available to each district to best inform future instruction. The survey shall include a checklist of items for school districts to consider when updating policies and procedures. The survey shall also inquire of teacher-librarians, principals, and technology directors to understand how they are currently integrating digital citizenship and media literacy education in their curriculum.

§ 8. The committee shall make a report of its findings, including any recommendations for legislative action as it may deem necessary and appropriate, best practices for instruction that provides guidance that identifies fake print and video media and to apply critical thinking skills when consuming and producing media in any form. These recommendations and best practices may include, but are not limited to:

(a) revisions to state education standards and the state instructional technology plan;

(b) revisions to policies and procedures on media literacy, including digital citizenship and internet safety;

(c) school district processes necessary to develop customized school district policies and procedures on electronic resources and internet safety that can be used within a school district technology plan;

(d) best practices, resources, and models for instruction in media literacy;

(e) best practices, resources, and models for instruction of digital citizenship, including media literacy, that are compliant with the federal universal service e-rate program administered by the schools and libraries division of the universal service administrative company and federal mandates established in the federal children's internet protection act; and

(f) strategies that will support school districts in local implementation of the best practices and recommendations developed by the committee, including strategies for delivering professional development to educators and administrators.

§ 9. The report required by section seven of this act shall be delivered to the governor, the temporary president of the senate and the speaker of the assembly no later than one year after the effective date of this act.

§ 10. The education law is amended by adding a new section 756 to read as follows:

§ 756. Annual review of media literacy policy and procedures. 1. For purposes of this section, "media literacy" shall be considered a broad term that encompasses consumption and production of media and digital products and is defined as the ability to access, analyze, evaluate, act and create with all forms of communication, and encompasses the foundational skills of digital citizenship and internet safety including the

norms of appropriate, responsible, healthy behavior, and cyberbullying prevention.

2. Beginning in the two thousand twenty-four--two thousand twenty-five school year, a media literacy advisory committee shall be created within the department to review and amend the policy and procedures on media literacy. The committee, in conjunction with national or statewide organizations focused on media literacy, shall:

(a) involve a representation of teachers, teacher-librarians, school media specialists, other school employees, school administrators, pupils, and community representatives with experience or expertise in media literacy issues;

(b) consider customizing the model policy and procedures on electronic resources;

(c) consider existing school district resources; and

(d) consider best practices, resources, and models for instruction in media literacy.

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