

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:

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

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

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

18 b. During each five-year registration period beginning on or after a
19 date which shall be determined by the commissioner, any teacher who is
20 an applicant for registration shall successfully complete a minimum of
21 five hours of professional development related to media literacy educa-
22 tion and any library media specialist shall complete a minimum of
23 fifteen hours of professional development related to media literacy
24 education, as defined by the commissioner. Such professional develop-
25 ment related to media literacy education shall be counted toward the one
26 hundred hours of continuing teacher and leader education required by
27 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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1 (i) professional development related to media literacy education
2 incorporates the principles and practices of the department's culturally
3 responsive-sustaining framework;

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

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

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

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

21 ~~[e-]~~ d. A certified individual who has not satisfied the continuing
22 teacher and leader education requirements shall not be issued a five-
23 year registration certificate by the department and shall not practice
24 unless and until a registration or conditional registration certificate
25 is issued as provided in subdivision three of this section. For purposes
26 of this subdivision, "continuing teacher and leader education require-
27 ments" shall mean activities designed to improve the teacher or leader's
28 pedagogical and/or leadership skills, targeted at improving student
29 performance, including but not limited to formal continuing teacher and
30 leader education activities. Such activities shall promote the profes-
31 sionalization of teaching and be closely aligned to district goals for
32 student performance which meet the standards prescribed by regulations
33 of the commissioner. To fulfill the continuing teacher and leader educa-
34 tion requirement, programs must be taken from sponsors approved by the
35 department, which shall include but not be limited to school districts,
36 pursuant to the regulations of the commissioner.

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

40 § 3. The education law is amended by adding a new section 286 to read
41 as follows:

42 § 286. School library media specialist. 1. Notwithstanding any other
43 provision of law to the contrary and subject to the provisions of subdi-
44 vision two of this section, each school district shall employ a certi-
45 fied school library media specialist in each elementary, intermediate,
46 middle, junior high and senior high school within three years of the
47 effective date of this section.

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

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

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

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

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

8 e. In each school with an enrollment of more than one thousand
9 students but no more than two thousand students, a certified school
10 library media specialist and a support staff person shall be employed as
11 a full-time equivalent staff member;

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

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

18 3. The commissioner may, upon application by a school district, waive
19 the applicability of the provisions of subdivisions one and two of this
20 section for up to two years, if such application demonstrates the school
21 is within a designated shortage area for certified school library media
22 specialists, and such application demonstrates that such school has a
23 two-year plan to be in compliance with the provisions of this section;
24 however, no such waiver shall be granted for more than two consecutive
25 school years.

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

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

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

52 1. "Digital citizenship" means a diverse set of skills related to
53 current technology and social media, including the norms of appropriate,
54 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

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

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

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

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

14 (c) consider existing school district resources; and

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

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