

STATE OF NEW YORK

2337--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring library media specialists for schools

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

Section 1. Section 275 of the education law is amended to read as follows:

§ 275. ~~Librarians~~ Library media specialists of school libraries. 1. In a school district maintaining an academic department or elementary, intermediate, middle, junior high, or senior high school the board of education ~~may~~ shall employ, and fix the compensation of, a person to act as school ~~librarian who may be engaged for all or a part of the time in performance of the duties of the position as may be directed by the said board~~ library media specialist within three years of the effective date of the chapter of two thousand twenty-three that amended this section. The person so employed, who may be the librarian of the free library, shall be possessed of the qualifications prescribed by the commissioner ~~of education~~. In all other districts the trustees or board of education ~~may~~ shall appoint a competent person to act as ~~librarian~~ library media specialist. In case of a failure of a city or union free school district maintaining an academic department or ~~high~~ school to employ a ~~librarian~~ library media specialist as above provided, the teacher of English in such school shall be the ~~librarian~~ library media specialist. In case of a failure to appoint a ~~librarian~~ library media specialist in any other district, the teacher, or if there be more than one teacher the principal teacher, shall act as ~~librarian~~ library media specialist. The trustees or board of education shall report to the commissioner ~~of education~~ the name and address of the person employed or appointed as ~~librarian~~ library media specialist.

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

LBD03386-02-3

2. Employment of certified school library media specialists 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 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 not more than five hundred students, a certified school library media specialist shall be employed as 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 not more than two thousand students, a certified school library media specialist and a support staff person shall be employed as full-time equivalent staff members;

(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 full-time equivalent staff members;

(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, ~~and~~ any other audio/visual materials of a similar nature made.

1 and any audio/visual, online or electronic materials needed for media
2 literacy programs.

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