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Senate Bills 741 through 743 (as introduced 3-6-24)  
Sponsor: Senator Darrin Camilleri (S.B. 741 & 742)  
Senator Rosemary Bayer (S.B. 743)  
Committee: Education

Date Completed: 4-15-24

## **INTRODUCTION**

The bills would amend the Revised School Code to require each public school and public school academy (PSA) in the State to create and administer a school library, if it did not have one already, by the 2025-2026 school year. Generally, a school library would have to participate in an interlibrary loan system and serve as a learning, reading, and community center. School districts and PSAs would have to ensure that pupils, teachers, and community members, as deemed appropriate, had efficient and equitable access to library resources.

The bills also would require a school district or PSA to employ a certified school librarian for each school library, beginning with the 2024-2025 school year. A school with fewer than 300 pupils would have to employ at least one half-time certified school librarian; a school with between 300 and 1,499 pupils at least one full-time certified school librarian; and a school with 1,500 or more pupils, at least two full-time certified school librarians. A school could apply to the Michigan Department of Education (MDE) to waive these requirements. If a school with fewer than 51 pupils applied, the MDE would have to waive this requirement.

The bills are tie-barred. Senate Bill 741 and Senate Bill 743 would take effect 90 days after their enactment.

## **PREVIOUS LEGISLATION**

*(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)*

Senate Bills 741, 742, and 743 are similar to House Bills 5909, 5910, and 5911 of the 2017-2018 Legislative Session.

## **BRIEF FISCAL IMPACT**

The bills would have an indeterminate, though likely negative, fiscal impact on the State and would have a negative fiscal impact on local government, in this case districts, PSAs, and intermediate districts (ISDs). The statewide costs to these local government units could be as high as \$403.7 million per year, with additional startup costs, though would likely be lower for reasons explained in the full **FISCAL IMPACT**.

The MDE would experience additional costs to process schools seeking to waive the requirement to employ certified school librarians. These costs could be significant and require more appropriations and staff than currently appropriated in the budget.

Proposed MCL 380.1161 (S.B. 741)  
Proposed MCL 380.1162 (S.B. 742)  
Proposed MCL 380.1162a (S.B. 743)

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## **CONTENT**

**Senate Bill 741** would amend the Revised School Code to require each of the State's public schools to establish and maintain a school library beginning with the 2025-2026 school year. A public school library would have to meet certain requirements and participate in an interlibrary loan system.

**Senate Bill 742** would amend the Revised School Code to require a school district or PSA to employ a certain number of certified school librarians, depending on the school's size, for each public school library it operated, beginning during the 2024-2025 school year. A school could apply to the MDE to waive this requirement.

**Senate Bill 743** would amend the Revised School Code to require a principal or comparable administrator of a public school to designate an individual to supervise students in the school library when a certified school librarian was not present.

### **Senate Bill 741**

The bill would require each public school in the State to establish and maintain a school library beginning with the 2025-2026 school year. Also beginning that school year, each public school would have to ensure that each school library participated in an interlibrary loan system.

A school library would have to be housed in a central location outside of a physical classroom, provide an environment for expanded learning, and support a variety of student interests.

Additionally, it would have to provide an organized and cataloged collection and services that adequately supported student independent reading and learning for enrichment, as well as the curriculum offered by the school. Building-level school administrators would have to ensure that pupils and teachers had efficient and equitable access to these resources, such as by making collection resources available in print and electronic form.

A school library also would have to have an intellectual and academic freedom statement and a collection development policy that followed best practices and included procedures for materials selection, deselection, and reconsideration. Lastly, it would have to serve as a community resource by providing parents and legal guardians of the school's pupils and community members access to the school library's resources, as determined appropriate by the school.

### **Senate Bill 742**

The bill would require the board of a school district or board of directors of a PSA to employ a certified school librarian for each school library operated by the board or board of directors beginning with the 2024-2025 school year. Under the bill, "certified school librarian" would mean either of the following:

- A certificated teacher under Section 1531 of the Code with an ND school librarian endorsement issued by the MDE (see **BACKGROUND**).<sup>1</sup>
- Until 2026, a certificated teacher under Section 1531 who was in the process of obtaining an ND school librarian endorsement issued by the MDE (see **BACKGROUND**).

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<sup>1</sup> Section 1531 requires the Superintendent of Public Instruction to determine the requirements for all licenses, certificates, and endorsements for teachers, including preprimary teachers and teachers as counselors, in the public schools of the State. It also sets general guidelines for these requirements.

The bill would require a school district or PSA to employ a school librarian as follows:

- For a school with fewer than 300 pupils, at least one half-time certified school librarian.
- For a school with between 300 and 1,499 pupils, at least one full-time certified school librarian.
- For a school with 1,500 or more pupils, at least two full-time certified school librarians.

The bill would allow the board of a school district or board of directors of a PSA that had fewer than 51 pupils enrolled to apply to the MDE, in a form and manner prescribed by the MDE, for a waiver from this requirement. On receipt of a waiver application, the MDE would have to grant the waiver. A school district or PSA granted a waiver would not have to employ a certified school librarian.

A board of a school district or board of directors of a PSA that had *at least* 51 pupils could apply for a waiver; however, the MDE would not be required to grant a waiver.

A certified school librarian would have to work collaboratively with classroom teachers and principals or comparable school administrators to provide literacy instruction to pupils to ensure that pupils achieved grade-level reading proficiency. A certified school librarian also would have to work to integrate information, technology, and research skills with the curriculum offered by the school to meet State academic and technology standards.

### **Senate Bill 743**

The bill would require a principal or comparable administrator of a public school that operated a school library to designate an individual to supervise students in the school library when the following occurred:

- A certified school librarian was not present.
- The school library was open to students.

This individual could not provide *instruction* to students unless the individual held an appropriate Michigan teaching certificate.

### **BACKGROUND**

Generally, Michigan teachers receive a teaching certificate demonstrating their qualifications. Among other things, a teaching certificate includes endorsement areas, which showcase what subjects a teacher is qualified to teach. To gain an endorsement in a specific subject area, a teacher must complete an approved endorsement program with at least 20 semester credit hours of coursework.<sup>2</sup> Generally, teachers who hold a Library Media (ND) endorsement are certified teachers who have attained a master's degree in Library Science or Library and Information Science.<sup>3</sup> The MDE recommends that schools hire and assign teachers with ND endorsements to administer school libraries and to supervise any persons without the appropriate qualifications who perform duties related to a school library program.

### **FISCAL IMPACT**

Senate Bill 741 would require that each public school operate a school library. The term "public school" is defined in the Code as "a public elementary or secondary educational entity or agency that is established under this act or under other law of this state, has as its primary

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<sup>2</sup> "Adding an Endorsement to a MI Teaching Certificate," MDE. Retrieved on 4-12-24.

<sup>3</sup> "Library Media Placements", Michigan Department of Education. Retrieved on 4-12-24.

mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, intermediate school district, school of excellence corporation, public school academy corporation, strict discipline academy corporation, urban high school academy corporation, or by the department, the state board, or another public body. Public school also includes a laboratory school or other elementary or secondary school that is controlled and operated by a state public university described in section 4, 5, or 6 of article VIII of the state constitution of 1963." Using the most recent statewide data, there are approximately 3,728 public schools in the State.

There are three primary costs for a school library: 1) capital costs to build or remodel a space to make it suitable for a school library; 2) the salary and benefits of an employee to staff the library; and 3) the cost for materials to stock the library.

The capital costs are unknown and would vary greatly between districts and between buildings within a district. If a building did not have a school library, much would depend on whether the building already had a suitable space for one or if it were necessary to build or remodel a space to accommodate a library. [Senate Bill 741](#) would not require a minimum size for a school library, so capital costs would depend largely on the specific characteristics of each building and decisions made by the district.

The greatest ongoing cost for a school library is the cost of salaries and benefits for employees to staff the library. [Senate Bill 742](#) would require each school to employ between half and two certified school librarians, depending on the size of the school. The bill would allow districts, PSAs, and ISDs to apply to the MDE for a waiver from the requirement. The bill would not specify the requirements for MDE to grant such a waiver, so it is unknown how many public schools would apply for and receive a waiver from the requirement. [Senate Bill 743](#) would require that each school library be supervised by an employee. Nationally, the salary for certified school librarians is similar to that for public school teachers, so whether a school librarian or a teacher were assigned to supervise the library, the cost would be similar. Based on the average teacher salary in the State, and the average additional cost of benefits, this analysis will assume the cost for an employee would be approximately \$104,000 per year. Assuming that each public school were required, on average, to hire one additional staff person to meet the requirements in the bills, the annual cost would be approximately \$388.1 million for the additional staffing costs. The costs could be reduced significantly if schools chose to hire non-teaching staff to meet the requirement, or rotated existing staff during open periods, so the costs for staffing should be viewed as a maximum cost.

The costs for materials to stock the library would depend on the choices of each school. Based on a 2021 survey of school libraries, the average district spent \$11.35 per student on library resources like books, digital media, databases, digital devices, and furniture. Assuming the total costs would be similar and using the projected pupil count from the January 2024 Consensus Revenue Estimating Conference, the annual cost for materials would be approximately \$15.7 million. The cost could be greater or less depending on the choices of individual schools.

Since there is no statewide data on how many public schools in the State currently have a library or employ a certified school librarian, there is no way to know how many of the above costs would be in addition to existing spending. The MDE does collect data at the district level to determine how many have at least one librarian assigned, and in Fiscal Year 2022-23, 20% of districts had at least one certified school librarian assigned. Using that as a proxy to estimate how many public schools currently meet the requirements in the bills, it can be assumed that most of the costs identified in the analysis would be new costs for districts, PSAs, and ISDs. If the State were required to reimburse districts, PSAs, and ISDs for the additional costs, there would be a negative fiscal impact on the State rather than on local governments.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.