

Date of Hearing: June 28, 2023

ASSEMBLY COMMITTEE ON EDUCATION

Al Muratsuchi, Chair

SB 321 (Ashby) – As Amended June 14, 2023

**SENATE VOTE:** 39-1

**SUBJECT:** Literacy: libraries: Local Public Library Partnership Program

**SUMMARY:** Establishes the Local Public Library Partnership Program, under the administration of the State Librarian, in order to ensure that all pupils have access to a local public library by third grade. Specifically, **this bill:**

- 1) Establishes the Local Public Library Partnership Program, under the administration of the State Librarian, for purposes of ensuring that, by third grade, all pupils have access to a local public library.

State Librarian:

- 2) Requires the State Librarian to offer resources to assist each local public library to find student success card dispensing strategies that work best for their communities.
- 3) Requires the State Librarian to coordinate with each local public library to determine the most effective means to ensure each pupil in each LEA is issued a student success card by third grade, including, but not limited to, by working with a school administrator or school librarian.
- 4) Requires, on or before January 1, 2026, the State Librarian to ensure that partnerships between local public libraries and LEAs have been established to enable each pupil enrolled at a schoolsite of each LEA to be issued a student success card by third grade.
- 5) Requires the State Librarian to, on or before January 1, 2029, and by each January 1 thereafter, report to the Legislature all of the following information:
  - a) The number of third grade pupils who have been issued a student success card;
  - b) The number of third grade pupils who received local public library access as a result of the partnerships developed pursuant to this program;
  - c) The number of new summer readers each local public library received during the summer months each year; and
  - d) Any measurable increases in the use of other library resources as a result of the partnerships developed pursuant to this program.
- 6) Requires the required report to be submitted in compliance with Section 9795 of the Government Code.

Access to student information:

- 7) Authorizes, consistent with Section 99.37 of Title 34 of the Code of Federal Regulations, an LEA to disclose directory information, as defined in Education Code (EC) 49061, to the State Librarian for the purpose of administering this program. Requires the information to not be used for any other purpose or to be given or transferred to any other person or agency.

General provisions:

- 8) Defines the following:
  - a) “Local public library” to mean a public library that is located within the elementary school attendance area in which a schoolsite of an LEA is located. Requires, if no public library is located within the elementary school attendance area in which a schoolsite of an LEA is located, the closest public library that is within the elementary or unified school district in which a schoolsite is located to be considered the local public library. Requires, if no public library is located within the elementary or unified school district in which a schoolsite of an LEA is located, the closest public library that is within the county in which a schoolsite is located to be considered the local public library.
  - b) “Student success card” to mean a card issued by a local public library that provides access to library services, including, but not limited to, all of the following: collections that support school curriculum as well as pupil leisure reading; online research and learning resources maintained by local public libraries and the California State Library; online tutoring; and digital content from the California State Library’s K–12 Online Resources Project.
- 9) States that nothing in the measure is to be construed to prohibit a local public library from partnering with an LEA to issue student success cards to pupils in kindergarten or any of grades 1 to 12, inclusive.

**EXISTING LAW:**

- 1) Establishes the California State Library, under the direction of the State Librarian, and lists among the responsibilities of the office purchasing and maintaining materials and equipment as necessary to carry out California State Library programs and services consistent with well-established library standards. (Education Code (EC) 19301-19302)
- 2) Requires the State Librarian to employ a consultant to provide technical assistance to public libraries in the development and enhancement of library services to children and youth. (EC 19320.5)
- 3) Requires the State Librarian to establish the Reading Initiative Program to develop a list of recommended books that supplement the state-recommended English language arts curriculum framework and develop a method for recognizing students who participate in the program. (EC 19336)
- 4) Defines the following terms:
  - a) “Public library” to mean a library, or two or more libraries, that is operated by a single public jurisdiction and that services its residents free of charge; and

- b) “School library” to mean an organized collection of printed and audiovisual materials that satisfies specified criteria. (EC 18710)
- 5) Requires the governing board of each school district to provide school library services for the pupils and teachers of the district by establishing and maintaining school libraries or by contractual arrangements with another public agency. (EC 18100)
- 6) Authorizes the county superintendent of schools to, with the approval of the county board of supervisors and the county board of education, agree with the county librarian to take over all existing contracts for supplementary books and other material adopted for the course of study between the school districts or community college districts and the county librarian. Requires thereafter the county superintendent of schools to generally perform such library services for the school districts or community college districts as were theretofore performed by the county library. (EC 1770)
- 7) Authorizes the California Commission on Teacher Credentialing (CTC) to issue a services credential authorizing service as a library media teacher upon completion of specialized preparation. States that the standards for these credentials are a baccalaureate degree or higher degree from an institution approved by the CTC, a valid teaching credential, and specialized professional preparation. (EC 44269)

**FISCAL EFFECT:** According to the Senate Appropriations Committee, the California State Library (CSL) estimates ongoing General Fund costs of at least \$312,000 and 2.0 positions, and an additional \$1.5 million in one-time General Fund for grant funding and administrative fees to jumpstart local student success card programs.

**COMMENTS:**

***Need for the bill.*** According to the author, “According to the National Center for Education Statistics, California ranks lowest in the nation for third-grade reading levels. Half of our third-graders, including two-thirds of Black students and 61% of Latino students, currently do not read at grade level. Third-grade is a crucial pivot point in a child’s education – it is the time when students shift from learning to read and begin reading to learn. SB 321 would help ensure that all children, regardless of socioeconomic status, can succeed in school and life through education.

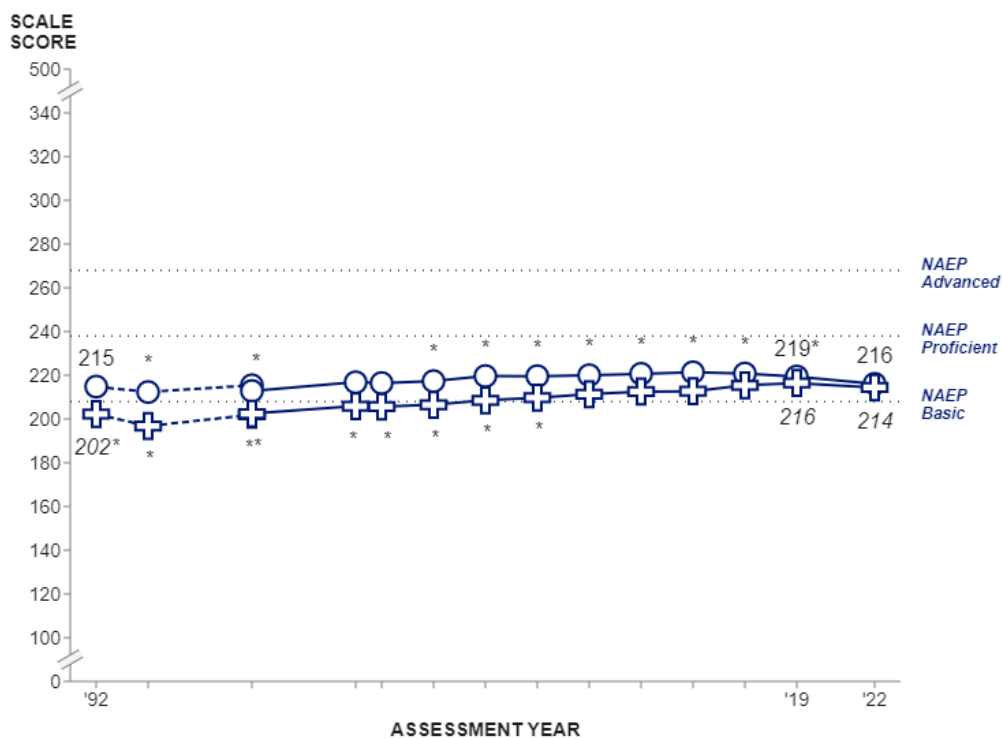
During my tenure as a Sacramento City Councilwoman, I established a partnership between a low-performing school in my council district and the Sacramento Public Library. Librarians presented students with information about their local library, and students received library cards through the program. That same year, summer reading rates skyrocketed for participating students. The pilot program was so successful that the Sacramento Library, in partnership with the County Office of Education, expanded it to five additional schools across the region. It is vital that we expand literacy programs with proven success statewide and give our students the resources they need to succeed.”

***Students’ reading skills have improved over time, but still below proficient and achievement gaps persist.*** Early reading skills are critical to future academic success. One frequently cited study of older data suggests that a student who cannot read on grade level by 3rd grade is four times less likely to graduate by age 19 than a child who does read proficiently by that time with effects compounded significantly by poverty. (Hernández, 2011).

Over the last 20 years, California students’ scores on the 4<sup>th</sup> grade reading portion of the National Assessment of Educational Progress (NAEP) have consistently improved, and the gap between the state and the national average has nearly closed. In 2022, California 4<sup>th</sup> graders scored 214 compared to 217 nationally, and 8<sup>th</sup> graders scored 259 compared to 260 nationally, both on a 500 point scale. Since 1998, the percentage of California 4<sup>th</sup> graders scoring proficient in reading has increased from 20% to 31%. However, both the national average and California’s performance remain below the NAEP “proficient” threshold.

NAEP scores also identify significant achievement gaps which have largely persisted over the same time period. In 2022, students who were eligible for free or reduced price meals had an average score that was 34 points lower than that for students who were not eligible. This performance gap has only slightly reduced since 1998 (36 points). 8th grade scores show similar patterns, though with less improvement over time.

FIGURE | Trend in NAEP reading average scores for fourth-grade public school students in California and nation (public)



○ Nation (public)      + California      - - - Accommodations not permitted  
 — Accommodations permitted      \* Significantly different ( $p < .05$ ) from 2022.

NOTE: Results are not shown for data points where the state/jurisdiction did not participate or did not meet the minimum participation guidelines for reporting in a given assessment year. Prior to 2003, state participation in the NAEP mathematics and reading assessments was voluntary. See more information about the history of state participation at <https://nces.ed.gov/nationsreportcard/about/state.aspx>.

Source: National Assessment of Educational Progress (NAEP)

State data from the Smarter Balanced summative assessment in English language arts (ELA) show that in 2022, 47% of California students met or exceeded standards in ELA. This represented an increase of 3% since 2015. Achievement gaps remain for students with disabilities, students who come from low income families, and students who are English learners. Gains also vary significantly by grade level.

***COVID-19 related school disruptions effect on literacy.*** Statewide summative assessments of ELA and mathematics were suspended in 2020 and 2021 due to the COVID-19 pandemic, but recent data shows that pandemic-related disruptions have had a deleterious effect on ELA achievement. There has been significant learning loss in both ELA and math. The percentage of students proficient in ELA reported on the Smarter Balanced statewide results dropped by nearly 10 percentage points from 2019 (51.1%) to 2022 (42.17%). The equity impact is severe – certain student groups, especially low-income students and English learners, are falling further behind more compared to others.

***Access to student information.*** This bill authorizes an LEA to disclose directory information, consistent with federal law, to the State Librarian for the purpose of administering this bill, and prohibits the information from being used for any other purpose or given or transferred to any other person or agency. Existing law defines “directory information” as one or more of the following items: student’s name, address, telephone number, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.

This bill requires the State Librarian to coordinate with each local public library to determine the most effective means to ensure each student in each LEA is issued a student success card by third grade. Local public libraries do not currently have access to information about which students attend schools within each library’s jurisdiction, or which students are in third grade or younger.

This bill authorizes schools to disclose directory information, consistent with federal law, to the State Librarian for the purpose of administering this bill – presumably the names of students in third grade and below, and which schools those students attend, as federal law authorizes the release of *relevant* directory information. ***The Committee may wish to consider*** that while this bill does not specifically prescribe how the State Librarian is to use the directory information, the bill does require the State Librarian to 1) coordinate with each local public library to determine the most effective means to ensure each student in each LEA is issued a student success card by third grade; 2) ensure that partnerships between local public libraries and LEAs have been established to enable each student enrolled at a schoolsite of each LEA to be issued a student success card by third grade; and, 3) report on the number of third grade students who have been issued a student success card and the number of third grade students who received local public library access as a result of the partnerships developed pursuant to this bill.

***California public libraries.*** According to data collected by the California State Library, in 2021, California had 1,159 local public library outlets including central locations, branches, and bookmobiles. California public libraries are almost exclusively supported through local investments, often, but not exclusively, at the county level. Local public library access and quality varies greatly throughout the state, as shown in Figure 1. ***The Committee may wish to***

*consider* the feasibility of establishing local partnerships between LEAs and local public libraries, required by this bill, in parts of the state with limited availability of library outlets.

Figure 1: California public library average population per branch, as of May 2023

County	Number of Buildings	County Population	Average population per branch
Alameda	47	1,636,194	34,813
Alpine	2	1,184	592
Amador	5	39,837	7,967
Butte	6	205,592	34,265
Calaveras	8	44,890	5,611
Colusa	7	21,771	3,110
Contra Costa	29	1,147,653	39,574
Del Norte	2	26,599	13,300
El Dorado	6	189,006	31,501
Fresno	38	1,011,499	26,618
Glenn	4	28,636	7,159
Humboldt	11	134,047	12,186
Imperial	11	179,476	16,316
Inyo	6	18,896	3,149
Kern	23	907,476	39,455
Kings	7	151,018	21,574
Lake	4	66,800	16,700
Lassen	1	28,275	28,275
Los Angeles	248	9,761,210	39,360
Madera	5	158,148	31,630
Marin	18	252,959	14,053
Mariposa	5	16,935	3,387
Mendocino	5	89,164	17,833
Merced	12	285,337	23,778
Modoc	4	8,527	2,132
Mono	7	13,156	1,879
Monterey	23	430,368	18,712
Napa	5	134,637	26,927
Nevada	6	100,720	16,787
Orange	63	3,137,164	49,796
Placer	14	410,305	29,308
Plumas	4	18,996	4,749
Riverside	55	2,439,234	44,350
Sacramento	29	1,572,453	54,223
San Benito	2	65,666	32,833
San Bernardino	45	2,182,056	48,490
San Diego	82	3,269,755	39,875
San Francisco	28	831,703	29,704
San Joaquin	17	786,145	46,244
San Luis Obispo	16	278,348	17,397
San Mateo	31	737,644	23,795
Santa Barbara	15	440,557	29,370
Santa Clara	44	1,886,079	42,865

<b>Santa Cruz</b>	12	262,051	21,838
<b>Shasta</b>	3	179,436	59,812
<b>Sierra</b>	4	3,193	798
<b>Siskiyou</b>	9	43,548	4,839
<b>Solano</b>	10	443,749	44,375
<b>Sonoma</b>	15	478,174	31,878
<b>Stanislaus</b>	13	545,939	41,995
<b>Sutter</b>	3	98,952	32,984
<b>Tehama</b>	3	64,271	21,424
<b>Trinity</b>	3	15,939	5,313
<b>Tulare</b>	19	475,064	25,003
<b>Tuolumne</b>	4	54,590	13,648
<b>Ventura</b>	22	825,653	37,530
<b>Yolo</b>	8	220,880	27,610
<b>Yuba</b>	1	82,677	82,677

Source: California State Library

**California school library statistics.** Until the 2013-14 school year, the CDE annually collected information about school libraries using an online survey. Data from that year representing 43% of schools reveal that among the California public schools responding to the survey, 84% have a place designated as the library, although staffing, collections, and programs have a wide range of quality. Of the schools responding, 16% do not have a library. Approximately 9% of California schools had a credentialed teacher librarian on campus part time or longer; the majority of professional staffing was found at the high school level. A teacher librarian has both a California teaching credential and a California teacher librarian services credential. According to the National Center for Education Statistics, the national ratio of teacher librarians to students in the fall of 2011 was 1:1,023. California ranked at the bottom of professional library staffing numbers with a ratio of 1:7,374. In 2013-14, 86% of California public schools reported that classified staff were employed to staff the library.

The average number of school library books per student in 2013-14 in K–12 was 20.4. In 1986, the number reported per student was ten. The average number of books per library collection is 14,137, which at the time was close to the national average. “Books” includes both print and digital formats. In that year, the average copyright date was 20 years old. The average copyright date is measured in the nonfiction section and includes both print and digital books.

Various funding mechanisms have supported school libraries over the last 30 years, including the tax checkoff program from 1994-1997 generated funds from taxpayer donations and dispersed them on a competitive grant basis, the School and Library Improvement Block Grant which was flexed during the 2008-09 fiscal year along with many other categorical programs, and the 2013–14 Budget Act replaced the previous K–12 finance system with a new Local Control Funding Formula (LCFF).

**Impact of recent state and local policies on school library collections.** According to a 2022 working paper from the Wheelock Educational Policy Center at Boston University, *Politics and Children’s Books: Evidence from School Library Collections*, books on the topics of LGBTQ+, race/racism, or abortion are less likely to be found in school libraries in conservative areas, and are more likely to have discontinued Dr. Seuss and Christian fiction titles. Using web-scraping techniques to collect original data on hundreds of titles in over 6,600 school libraries nationally to identify patterns in library resources and content, researchers found that the book challenges in

the 2021-22 school year have had “chilling effects” on the acquisition of new LGBTQ+ content. The working paper states that books with “controversial content” are widely available, however, the prevalence of these titles is related to local politics, state laws, and social environments. Most public schools have a library on site, but little is known about the quality or content of school library programs. Disparities exist in library resources and collection quality, particularly between schools in low- and high-income areas.

***ConnectED Initiative.*** In June 2013, President Obama announced the ConnectED initiative, designed to enrich K-12 education for every student in America. The President’s ConnectED Initiative set a goal to connect 99% of students across the country to broadband in 5 years. The ConnectEd Library Challenge was a component of the larger initiative, with a goal to create or strengthen partnerships in order for all children enrolled in school to receive a library card. This bill appears to be modeled, in part, after that Challenge. The initiative called upon library directors to work with their mayors or county executives, school leaders, and school librarians. Libraries participating in the challenge also committed to:

- Support student learning through programming that develops language, reading, and critical thinking;
- Provide digital resources, such as eBooks and online collections of traditional media; and
- Provide broadband connectivity and wireless access within library facilities.

***Recommended Committee Amendments.*** *Staff recommends that the bill be amended* as follows:

- Define “local educational agency” to mean a school district, county office of education (COE), or charter school.

***Arguments in support.*** The County of Sacramento writes, “Third-grade is a crucial pivot point in a child’s education as students shift from learning to read and begin reading to learn. Interventions for struggling readers after third-grade are seldom as effective as those in the early years. Our students must have the resources they need to succeed. SB 321 will help third-grade students continue learning outside of school hours by providing them with access to their local libraries.”

***Related legislation.*** AB 535 (Irwin) of the 2023-24 Session would require, on or before July 1, 2024, the Superintendent of Public Instruction (SPI) to select an applicant county office of education (COE) to serve as a Statewide School Library Lead (SSL) to work collaboratively with the California Collaborative for Educational Excellence (CCEE) for the purpose of establishing library and literacy services that support the Statewide System of Support (SOS).

AB 731 (Pacheco) of the 2023-24 Session would, upon appropriation by the Legislature for this purpose, establish the Home Book Delivery and School Connection Grant Program for the purpose of increasing access to books that are culturally relevant and reflect the diversity of the state, and build connections between school and home to support pupils in achieving grade-level reading by 3rd grade. This bill was held in the Assembly Education Committee.



AB 2465 (Mia Bonta) of the 2021-22 Session would have established the Family and Community Literacy: Supporting Literacy and Biliteracy in Schools, Families, and Communities Grant Program and the California Family Literacy Innovation Project to support early literacy. This bill was held in the Senate Appropriations Committee.

SB 34 (Umberg), Chapter 297, Statutes of 2022, in its early versions, required the CDE to administer a competitive grant program to award one-time grant funding to LEAs, library districts, and public libraries for the purpose of providing every public school student with a student success card. This bill was subsequently amended into a different jurisdiction.

SB 1183 (Grove), Chapter 992, Statutes of 2002, establishes the Statewide Imagination Library Program, administered by the State Librarian, to provide age-appropriate books to children age birth through age five who are registered for the program, sent to the child's home on a monthly basis at no cost to families, through Dolly Parton's Imagination Library.

SB 98 (Committee on Budget and Fiscal Review), Chapter 24, Statutes of 2020, establishes the Early Literacy Support Block Grant, which requires the CDE to award funds to LEAs with the 75 schools that have the highest percentage of students in grade three scoring at the lowest achievement standard level on the state ELA assessment. Appropriates \$50 million for this purpose and authorizes \$3 million of this amount to be used to establish an Expert Lead in Literacy at a COE, to serve within the SOS. Appropriates \$50 million for the purpose of funding California SUMS. Authorizes \$9.8 million for the RII Grant Program to generate and disseminate professional learning opportunities for kindergarten through grade twelve educators in the areas of evidence-based literacy, intensive literacy interventions, and support of pupils' executive functioning skills.

AB 1684 (Maienschein) of the 2019-20 Session would have required the CDE to develop and implement a professional development program to support educators in teaching literacy and reading, including providing dedicated funds to schools identified by the state's accountability system as needing special ELA support, consistent with the state's SOS for schools. This bill was held in the Senate Education Committee.

SB 494 (Hueso) of the 2017-18 Session would have established the Golden State Reading grant program for the purpose of assisting LEAs in ensuring that all students meet reading standards and language progressive skills by the end of grade 3. This bill was vetoed by the Governor, who stated:

Local educational agencies already have the flexibility under the Local Control Funding Formula to provide students the support they need to ensure that appropriate reading and language skills are achieved.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Association of California School Administrators  
California Catholic Conference  
California Library Association  
California School Library Association

Children's Law Center of California  
City of Buena Park  
City of Norwalk  
City of Thousand Oaks  
League of California Cities  
Sacramento County  
Sacramento County Public Law Library

**Opposition**

None on file

**Analysis Prepared by:** Marguerite Ries / ED. / (916) 319-2087