

CHAPTER 21**STATE LIBRARY AID AND GRANTS****Authority**

N.J.S.A. 18A:2-2, 18A:4-15, 18A:74-3.3,
18A:74-6, 18A:74-10 and 18A:74-14.

Source and Effective Date

R.2005 d.226, effective June 15, 2005.
See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 21, State Library Aid and Grants, expires on December 12, 2010. See: 42 N.J.R. 1492(b).

Chapter Historical Note

Chapter 21, State Library Aid and Grants, was originally codified in Title 6 as Chapter 68, State Library Assistance Programs. Chapter 68 was filed and became effective prior to September 1, 1969.

Subchapter 2 was adopted as R.1970 d.127, effective October 21, 1970. See: 2 N.J.R. 71(b), 2 N.J.R. 90(a).

Subchapter 3 was adopted as R.1972 d.186, effective September 22, 1972. See: 4 N.J.R. 155(a), 4 N.J.R. 262(b).

Subchapter 4 was adopted as R.1974 d.175, effective July 1, 1974. See: 6 N.J.R. 223(a), 6 N.J.R. 302(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2 was readopted as R.1985 d.207, effective April 12, 1985. See: 17 N.J.R. 346(a), 17 N.J.R. 1078(a).

Subchapter 5 was adopted as R.1986 d.278, effective July 21, 1986. See: 18 N.J.R. 595(b), 18 N.J.R. 1459(a).

Subchapter 7 was adopted as R.1987 d.183, effective April 20, 1987. See: 19 N.J.R. 6(a), 19 N.J.R. 634(a).

Subchapter 8 was adopted as R.1987 d.182, effective April 20, 1987. See: 19 N.J.R. 7(a), 19 N.J.R. 635(a).

Subchapter 9 was adopted as R.1987 d.181, effective April 20, 1987. See: 19 N.J.R. 8(a), 19 N.J.R. 635(b).

Pursuant to Executive Order No. 66(1978), Chapter 68, State Library Assistance Programs, was readopted as Chapter 68, State Library Aid and Grants, by R.1990 d.179, effective February 26, 1990, and Subchapter 1, General Provisions, Subchapter 3, Incentive Grant Program, Subchapter 7, Institutional Library Services, and Subchapter 8, Municipal Branch Library Services, were adopted, former Subchapter 1 was recodified as Subchapter 2, State Library Aid, former Subchapter 3 was recodified as Subchapter 4, Emergency Aid, former Subchapter 4 was recodified as Subchapter 5, Library Construction Incentive Program, former Subchapter 5 was recodified as Subchapter 6, Audio-Visual Public Library Services, former Subchapter 8 was recodified as Subchapter 9, Collection Evaluation and Development, and former Subchapter 9 was recodified as Subchapter 10, Maintenance of Library Collections, and former Subchapters 2, 6 and 7 were repealed by R.1990 d.179, effective March 19, 1990. See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Pursuant to Executive Order No. 66(1978), Chapter 68, State Library Aid and Grants, was readopted as R.1995 d.290, effective May 12, 1995, and former Subchapter 3, Incentive Grant Program, was repealed and Subchapter 3, Incentive for Larger Service Units Grant Program, was adopted as new rules by R.1995 d.290, effective June 5, 1995. See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Pursuant to Reorganization Plan No. 002-1996, Chapter 68, State Library Aid and Grants, was recodified as N.J.A.C. 15:21, effective February 18, 1999. See: 28 N.J.R. 2659(a), 31 N.J.R. 776(a).

Pursuant to Executive Order No. 66(1978), Chapter 21, State Library Aid and Grants, was readopted as R.2000 d.145, effective March 10, 2000. See: Source and Effective Date. See, also, section annotations.

Chapter 21, State Library Aid and Grants, was readopted as R.2005 d.226, effective June 15, 2005. See: Source and Effective Date. See, also, section annotations.

Subchapter 12, Municipal Annual Mandatory Library Appropriation for the Maintenance of a Free Public Library, was adopted as new rules by R.2007 d.27, effective January 16, 2007. See: 38 N.J.R. 3749(a), 39 N.J.R. 233(a).

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SUBCHAPTER 1. GENERAL PROVISIONS

15:21-1.1 Purpose

The purpose of this chapter is to describe the library grant programs available from State funds and to establish general rules for the application process.

Amended by R.1995 d.290, effective June 5, 1995.
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

15:21-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Academic library” means a library within a publicly or privately supported institution of higher education.

“Access” means accessibility of materials on site or online, interlibrary loan of materials, citation/location of materials on databases and cataloging of materials.

“Associate librarian” means a person who holds an associate educational media specialist certificate in accordance with N.J.A.C. 6:11-12.22.

“Association library” means a library established pursuant to N.J.S.A. 15A:1-1 et seq. and receiving public funds pursuant to N.J.S.A. 40:54-35.

“Audio-visual” means communications resources which rely on a device for transmission, reproduction, or enlargement to be effectively utilized or understood. Also included are other non-print resources such as art works and objects.

“Branch library” means an auxiliary public library (county or municipal) which has all of the following, but which is administered from a central unit:

1. Separate quarters from the central unit;
2. A permanent basic collection of library materials;
3. A permanent paid staff; and
4. A regular schedule for opening to the public.

“Central library” means the main library building of a municipality, county or other type of public library or those facilities which house the administrative headquarters of a public library system, including system-wide services provided from a single location.

“Collection” means library materials in any format.

“Collection development” means activities relating to the development of a library collection, including but not limited to the determination and coordination of selection policies,

assessment of needs of users and potential users, collection use studies, collection evaluation, identification of collection needs, selection of materials, planning for resource sharing, collection maintenance and weeding, and purchase of library materials in any format.

“Collection evaluation” means the process of assessing a library collection in terms of specific objectives or in terms of the needs of the patrons of the particular collection.

“Collection maintenance” means activities to preserve the materials in a collection, including care and handling, binding, mending, repairing, marking and shelving.

“Collection of historical or special interest” means all or part of a group of materials with permanent significance to New Jersey’s documentary heritage or with general research value and uniqueness.

“Coordinated collection development plan” means an agreement extended by a group of libraries to take responsibility for building and maintaining collections in specific subject areas to increase the resource sharing capabilities of the libraries.

“County library” means a public library established pursuant to N.J.S.A. 40:33-1 to 13 and 40:33-15 to 23.

“Evening hours” means any two hours the library is open after 6:00 P.M.

“Expanded programs of library services” means new services, changes in or expansion of services already offered.

“Extended long-term loan” means a loan of 12 months or more.

“In kind” means the current and recurring costs of the operation of the library and its programs/services that were present before the development and implementation of the grant program.

“Institution” means an adult or juvenile health, mental health, mental retardation, veterans, residential, correctional and other similar facility other than a public school, which is operated by or under contract to the State or to county or municipal governments to carry out health, welfare, educational and correctional programs. Excluded are general hospitals, nursing homes and boarding homes.

“Institutional library” means any library within an institution directly serving the institutional client group.

“Interlibrary loan” means a transaction between libraries, a form of resource sharing by which one library’s collection is utilized by another library in response to a request for a specific item on behalf of its users. The original or a copy of the item may be provided.

“Joint library” means a library established pursuant to N.J.S.A. 40:54-29.3 to 29.26.

“Librarian” means a professional librarian, an educational media specialist or an associate educational media specialist who holds, or is eligible to hold, a certificate in accordance with N.J.A.C. 6:11-11.6 Professional librarian; N.J.A.C. 6:11-11.17, Educational media specialist; or N.J.A.C. 6:11-11.18, Associate educational media specialist.

“Library” means an organized collection of accessible print and/or non-print materials with appropriate staff to maintain such materials and to provide reference, research and other services to the public.

“Library assistant” means a person employed in a library who performs clerical or support functions.

“Library materials” means print, non-print items and electronic resources.

“Library-related agency” means a county audio-visual aids commission established under N.J.S.A. 18A:51; a learning resource center; a regional curriculum services unit; or any other nonprofit organization meeting the criteria for membership in a regional library cooperative in accordance with N.J.A.C. 15:22-1.5(b).

“Library-related education” means a program or programs designed to educate participant(s) in the activities and knowledge necessary to provide library service and to support management activities including governance and legal information.

“Library services” means all activities rendered by the library to its users.

“Municipal library” means a library established pursuant to N.J.S.A. 40:54-1 to 29.2.

“Non-print materials” means materials in audio and visual formats which convey information primarily by sound and image rather than by text and which rely on a device for transmission, reproduction or enlargement to be effectively utilized or understood. Excluded are print and print substitutes such as microform, but included are computer software, art works and objects and electronic resources.

“Non-print public library services” means provision of access to non-print materials to clientele of a public library.

“Overhead” means current or recurring expenses such as rent, insurance, lighting, heating, accounting or office expenses.

“Part-time employee” means an employee whose regular hours of duty are less than the normal work week for that class or agency in accordance with Civil Service Rule N.J.A.C. 4A:1-1.3.

“Periodical” means a serial publication which is issued in a continuous series under the same title, usually published at regular intervals, more frequently than annually, over an indefinite period, individual issues in the series being numbered consecutively or each issue being dated.

“Periodical indexes” means subject indexes to a newspaper or to a group of periodicals which are provided for patron and staff use whether in print, microform or electronic format.

“Privately supported library” means a library whose parent agency receives less than 50 percent of its annual funding support from governmental sources.

“Public library” means a municipal, county, association or joint library, which receives public funding.

“Publicly supported library” means a library whose agency receives 50 percent or more of its regular annual funding support from governmental sources.

“Regional library” means a library established pursuant to N.J.S.A. 40:33-13.3 et seq.

“Regional library cooperative” means a membership organization of libraries and library-related agencies within a library region organized as a non-profit corporation pursuant to N.J.S.A. 15A:1-1 et seq. which has agreed to provide and receive cooperative service and which has been designated a regional library cooperative by the State Librarian.

“School library” means a library/media center within any publicly or privately supported elementary or secondary school, or in any post-secondary vocational or technical school.

“Special census” means a census conducted by the United States Secretary of Commerce pursuant to 13 U.S.C. 196.

“Special library” means a library/information center of a business, a professional, scientific, or trade association, a government, hospital or other for-profit or nonprofit institution or organization which provides that organization with information, library materials, and technical bibliographic and research services.

“User studies” means a method of determining the information needs of current library patrons or potential library patrons.

Amended by R.1995, d.290, effective June 5, 1995.
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).
Amended by R.2000 d.145, effective April 3, 2000.
See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In “Access”, substituted “of materials on site or online” for “on site” following “accessibility”; in “Audio-visual”, inserted “other” following “included are” in the second sentence; deleted “Audio-visual materials”, “Audio-visual public library services” and “Subject collection”; in “Library materials”, substituted “resources” for “software” at the end; inserted “Non-print materials” and “Non-print public library services”; and in “Periodical indexes”, substituted “microform” for “micro” following “print”.

Amended by R.2005 d.226, effective July 18, 2005.
See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

In “Interlibrary loan” deleted “mediated” preceding “request for”; substituted “Library assistant” for “Library clerk”; and added “Library-related education” and “Regional library cooperative”.

15:21-1.3 Grant application procedures

(a) The State Library requires the use of a standard application for the grant programs unless otherwise specified. Application forms, unless otherwise specified, may be obtained from:

New Jersey State Library
Grant Applications
185 West State Street
PO Box 520
Trenton, New Jersey 08625-0520.

(b) Applications must conform to the requirements for completion and the deadline dates as specified by the State Librarian in the “Grants Bulletin.”

Amended by R.1995 d.290, effective June 5, 1995.
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Named the publication as “Grants Bulletin”.
Amended by R.2005 d.226, effective July 18, 2005.
See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

In (b), deleted “publication” preceding “Grants Bulletin”.

15:21-1.4 Criteria for approval

(a) Evaluation of the applications may be based on the following criteria, with additional criteria provided depending on the individual grant:

1. A statement of the applicant’s need as it relates to the stated purpose of the grant;
2. A rationale providing a description of the potential project and the basis for the selection of a particular solution or method for the project;
3. Goals and objectives describing the outcomes or results expected from the project;
4. An action plan describing the activities and resources needed to reach the stated objectives of the project;
5. An evaluation plan describing the applicant’s proposed method to evaluate the progress and outcomes of the project; and
6. A budget listing how requested funds will be used to support the action plan. Appropriate budget forms are supplied with application forms.

(b) Each application will contain specific, expanded definitions of these criteria to assist applicants to develop appropriate information for the grant application.

Amended by R.2000 d.145, effective April 3, 2000.
See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In (a), rewrote the introductory paragraph and 1.

15:21-1.5 Reports and audits

Grant recipients shall be required to submit reports and financial audits as specified by the State Librarian in the grant announcement.

15:21-1.6 Notification of applicants

Applicants will be informed of the State Librarian’s recommendations of approval or rejection within 90 days of application deadline.

15:21-1.7 Appeals procedure

Appeals from any action of the State Librarian regarding the rules in this subchapter may be requested, and opportunity given for an informal fair hearing before the State Librarian. In the event of an adverse decision after such informal hearing, applicants may request a formal hearing pursuant to N.J.S.A. 18A:6-9 et seq., 18A:6-24, 18A:6-27 and Reorganization Plan 002-1996. Such hearing shall be governed by the provisions of the Administrative Procedure Act (see N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., as implemented by the Uniform Administrative Procedure Rules, N.J.A.C. 1:1).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

Rewrote the section.

SUBCHAPTER 2. STATE LIBRARY AID**15:21-2.1 Purpose**

The purpose of this program is to provide per capita library aid to public libraries according to N.J.S.A. 18A:74-1 et seq.

New Rule: R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

15:21-2.2 Governance

(a) Any municipal library which has been established pursuant to N.J.S.A. 40:54-1 et seq. or pursuant to any special Act shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-1 et seq. or any special Act.

(b) Association libraries receiving local tax support under N.J.S.A. 40:54-35 shall be governed by a board of trustees and shall be incorporated as a non-profit corporation pursuant to N.J.S.A. 15A:1-1 et seq.

(c) Any joint library which has been established pursuant to N.J.S.A. 40:54-29.3 et seq. shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-12, 40:54-29.10, 40:54-29.12 and 40:54-29.13.

(d) Any county library which has been established pursuant to N.J.S.A. 40:33-1 et seq. shall provide for a county library commission in the manner and with the duties and powers specified in N.J.S.A. 40:33-7, 40:33-8, 40:33-8.1, 40:33-13.2a, 40:33-13.2b, 40:33-13.2d et seq., 40:33-13.2e.a, b and c, and 40:33-13.2f.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added statutory cites.

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Added (d).

15:21-2.3 Certification

In order to receive any State library aid, all public libraries must annually certify that each municipality or county that supports, in whole or in part, library service from municipal or county tax sources pursuant to N.J.S.A. 40:33-1 et seq. or 40:54-1 et seq. complies fully with N.J.S.A. 40:33-1 et seq. or 40:54-1 et seq. except that municipal libraries currently funded below the minimum of $\frac{1}{8}$ mill for operating expenditures as per N.J.S.A. 40:54-8 due to capital outlay expenditures, shall be exempt from meeting the $\frac{1}{8}$ mill requirement for the purposes of State library aid until such time as the current debt is retired; that a member or members of the board or commission has or have received a minimum of three total hours of library-related education annually; that libraries serving populations of 7,500 or above, the statute notwithstanding, will employ in all professional librarian positions counted for State Library Aid purposes librarians holding a New Jersey State Professional Librarian Certificate as required in N.J.S.A. 45:8A-1 et seq.

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

Substituted a reference to populations of 7,500 for a reference to populations of 10,000, and changed N.J.S.A. reference.

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Rewrote the section.

15:21-2.4 Employees

(a) All public libraries (municipal, joint, association and county) shall meet the following minimum requirements based on the population of the area from which the library receives tax support:

1. Number of employees: All libraries shall employ a minimum of one full-time staff member as variously defined in this section. In addition, one full-time employee or the equivalent thereof in part-time paid employment for the initial 4,000 population and each succeeding 4,000 population shall be employed as set forth in Chart A below. Security, janitorial and custodial employees may be counted not to exceed 10 percent of total staff.

Chart A
Minimum Number of Full-Time Equivalent (FTE) Employees

Population Category	Number of Professional FTE ^a	Number of All Other Staff FTE ^b	Total Number of Paid FTE ^c
	Required (based on 35 hour work week)	Required (based on 30 hour work week)	
0-3,999	0	1 ^b	1
4,000-4,999	0	1 ^b	2
5,000-7,499	0	2 (at least one person must work a minimum of 30 hours per week)	2
7,500-7,999	1	1	2

8,000-11,999	1	2	3
12,000-15,999	1	3	4
16,000-19,999	1	4	5
20,000-23,999	2	4	6
24,000-27,999	2	5	7
28,000-29,999	2	6	8
30,000-31,999	3	5	8
32,000-35,999	3	6	9
36,000-39,999	3	7	10
40,000-43,999	4	7	11
44,000-47,999	4	8	12
48,000-49,999	4	9	13
50,000-51,999	5	8	13
52,000-55,999	5	9	14 ^d
56,000-59,999	5	10	15
60,000-63,999	5	11	16
64,000-67,999	5	12	17
68,000-69,999	5	13	18
70,000-71,999	6	13	19
72,000-73,999	6	13	19
74,000-75,999	6	14	20
76,000-77,999	6	14	20
78,000-79,999	6	15	21
80,000-81,999	6	15	21
82,000-83,999	6	16	22
84,000-85,999	6	16	22
86,000-89,999	6	17	23
90,000-93,999	7	17	24
94,000-97,999	7	18	25
98,000-101,999	7	19	26
102,000-109,999	7 ^e	20 ^f	27

^aFor municipalities of 7,500 population or more, one FTE is the director and must work a minimum of 35 hours per week.

^bFor municipalities of under 5,000 population, one FTE must be filled by a person working at least 30 hours per week or two part time persons working a combined 30 hours per week with neither working less than 10 hours per week.

^cProfessional FTE at 35 hours/week and all other staff FTE at 30 hours/week (security, janitorial and custodial employees may be counted not to exceed 10 percent of total staff).

^dAdd one additional full time equivalent for each additional 4,000 population over 52,000.

^e110,000 requires eight professionals, 130,000 and over requires nine professionals plus one additional full time equivalent professional for each additional 20,000 population.

^fTo continue the increase of "number of all other staff FTE," subtract the "number of professional staff FTE" from the "total number of paid FTE."

i. Full-time means a minimum of 30 hours per week except that for municipalities of under 5,000 population, full-time may be defined as two part-time persons working a combined 30 hours per week. At no time shall either part-time employee work less than 10 hours per week.

2. Professional staff:

i. N.J.S.A. 45:8A-3 notwithstanding, all libraries serving populations of 7,500 or more must employ as library director a full-time professional librarian who holds a New Jersey State Professional Librarian Certificate. Libraries serving between 7,500 and 9,999 in population shall be exempt from meeting the require-

ment of a professional library director until such time as the incumbent director, employed at the time of the adoption of this revision, of said library is no longer employed by that library.

ii. The minimum full-time work week shall be 35 hours. The minimum work week shall apply to all libraries receiving aid under this section.

iii. Libraries serving 7,500 to 50,000 population must employ a minimum of one full-time professional librarian holding a New Jersey State Professional Librarian Certificate or the full-time equivalent for each 10,000 population up to 50,000 and one additional full-time professional librarian or the full-time equivalent for each 20,000 population over 50,000 as set forth in Chart A above.

iv. Libraries serving a population over 50,000 must employ a minimum of one full-time professional librarian holding a New Jersey State Professional Librarian Certificate or the full-time equivalent for each 20,000 population over 50,000 as set forth in Chart A above.

Amended by R.1987 d.398, effective October 5, 1987.

See: 19 N.J.R. 1128(a), 19 N.J.R. 1796(a).

(a)2iii population changed from 10,000 to 20,000.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 1.4 and added new (a)1i.

Administrative Correction to (a)2iii: changed 129,000 to 129,999.

See: 22 N.J.R. 2359(a).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

Rewrote (a)2.

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Rewrote the section.

15:21-2.5 Library materials

(a) A minimum collection of 8,000 volumes or one volume per capita, whichever is greater, shall be available in all libraries established pursuant to the provisions of N.J.S.A. 40:54-1 et seq., N.J.S.A. 40:54-29.3 et seq. and N.J.S.A. 40:33-1 et seq.

(b) A minimum of $\frac{1}{10}$ of volume per capita shall be purchased annually. Non-print materials, computer software and electronic reference services may be equated to volumes purchased. To equate non-print materials, computer software and electronic reference services with print purchases:

1. Divide total materials budget, excluding expenditure for periodicals, by the average price per volume as computed in New Jersey Library Statistics for the preceding calendar year; or

2. Divide total expenditure for non-print materials, computer software and electronic reference services by average price per volume as computed in New Jersey Library Statistics for the preceding calendar year. Add resulting figure to number of volumes purchased. The total of the two figures should be equal to or exceed the minimum requirement of $\frac{1}{10}$ volume.

(c) Each library shall purchase or provide annually periodical holdings, indexes and back issues as set forth in Chart B below.

Chart B
Periodical Holdings

Population	Number of Paid Titles: Print, Microform or CD Based	Number Listed in Indexes Any Format (Include Online)	Number Retained for Three Years Any Format (Include Online)
0-5,000	25	15	8
5,000-9,999	50	30	17
10,000-24,999	75	45	25
25,000-49,999	100	60	33
50,000 and over	150	90	50

1. Each library shall provide the index or indexes that are necessary to provide access to information contained within the periodicals, or subscribe or have access to an on-line, full-text database. These indexes may be hard copy subscriptions, electronic services purchased or leased by the library or an online database that indexes periodicals.

(d) Each library shall provide public free access to the Internet all hours the library is open.

(e) Those libraries which are in municipalities providing tax support for a county library may count the materials provided by the county library to the local library toward meeting the requirements of (a), (b) and (c) above. The materials provided can be used to satisfy the requirements for volumes purchased, minimum collection, and periodical subscriptions and holdings by the exact number provided by the county library in each category.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In (b), substituted references to non-print materials for references to audio-visual materials throughout; rewrote (c); inserted a new (d); and recodified former (d) as (e).

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Rewrote the section.

15:21-2.6 Service

(a) The following concerns hours of service:

1. The following minimum hours of service are required as set forth in Chart C below.

Chart C

Population Served and Hours Open

Population Served	Hours Open Per Week	Minimum Hours Open Per Year
0-7,500	30	1,500
7,500-9,999	35	1,750
10,000-24,999	45	2,250
25,000-49,999	50	2,500
50,000 and over	60	3,000

2. Minimum hours open to the public must be scheduled to provide some service five days per week with a minimum of three evenings and some weekend hours every week. Variations are permitted as long as the minimum hours open per year standard is met as set forth in Chart C above. The State Librarian may authorize other variations to accommodate local conditions.

3. Libraries serving communities of under 7,500 population must meet the minimum requirement of 30 hours per week. However, the 30 hours may be scheduled to provide only two instead of three evenings per week.

(b) Libraries shall provide the minimum level of service set forth in this subsection. Libraries shall:

1. Offer interlibrary loan through current technology;
2. Provide children's programming; and
3. Provide a library Webpage with links to databases offered by the State or regional library cooperative.

(c) Libraries shall provide knowledgeable service.

1. All public libraries must certify that a member or members of the staff who do not hold a New Jersey State Professional Librarian Certificate and are counted to meet the minimum requirements of N.J.A.C. 15:21-2.4 has or collectively have received annually a minimum of library-related education as set forth in Chart D below.

Chart D
Annual Minimum Hours of Library Related Continuing Education

Population Category	Training for Professionals ^a	Training for All Other Staff ^b
0-3,999	0	3
4,000-4,999	0	6
5,000-7,499	0	6
7,500-7,999	7	3
8,000-11,999	7	6
12,000-15,999	7	9
16,000-19,999	7	12
20,000-23,999	14	12

^aTo continue beyond the listed population of 23,999, multiply the number of professional FTE from Chart A (column 2) times seven hours.

^bTo continue beyond the listed population of 23,999, multiply the number of all other staff FTE from Chart A (column 3) times three hours.

2. All public libraries must certify that a member or members of the staff who hold a New Jersey State Professional Librarian Certificate and are counted to meet the minimum requirements of N.J.A.C. 15:21-2.4 has or collectively have received annually a minimum of library-related education as required in Chart D above.

3. All public libraries should be members of a regional library cooperative.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added State Librarian Authorization to make local hour variations.

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In (a), changed Population Served references; and in (c), substituted "7,500" for "10,000" following "under".

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Rewrote the section.

15:21-2.7 Reduction of aid for failure to meet minimum requirements

(a) Failure to meet the requirements of N.J.A.C. 15:21-2.2 and 2.3 will result in the loss of all per capita State Aid.

(b) Failure to meet the requirements specified in N.J.A.C. 15:21-2.4 through 2.6 will result in the loss of per capita State Aid (PCSA) by a percentage in proportion to the number of requirements not yet achieved, each requirement to have the following weights (not to exceed 100 percent):

1. N.J.A.C. 15:21-2.4:
 - i. Employees: 50 percent.
2. N.J.A.C. 15:21-2.5:
 - i. Basic book collection: 50 percent.
 - ii. Annual purchases: 50 percent.
 - iii. Periodicals: 50 percent.
 - iv. Public Internet access: 50 percent.
3. N.J.A.C. 15:21-2.6:
 - i. Hours of service: 50 percent.
 - ii. Extended Service: 50 percent.
 - iii. Knowledgeable Service: 50 percent.

Chart E
PCSA Percent Loss

N.J.A.C.	Covers	Percent Loss
15:21-2.3	Library Director, Trustees, Compliance with applicable statutes	100
15:21-2.4	Employees	50
15:21-2.5	Materials—Basic book collection	50
	Materials—Annual purchases	50
	Materials—Periodicals	50
	Materials—Some free public Internet access	50
15:21-2.6	Service—Hours	50
	Service—Extended service	50
	Service—Knowledgeable service	50

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted (b).

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Added (b).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In (b)2, substituted "20 percent" for "30 percent" in ii, and added iv.

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

Rewrote (b).

15:21-2.8 Use of per capita aid; decision by public library board of trustees or county library officials

(a) State Aid must be used for library purposes. Upon receipt of State Aid checks pursuant to N.J.S.A. 18A:74-3, municipal and county treasurers shall make these funds immediately available to public library trustees, county library commissioners or, in counties which have reorganized the administrative structure of county government according to N.J.S.A. 40:41A-1 et seq., the board of chosen freeholders as the case may be. Decisions on the use and expenditures of per capita State Aid rest with the board of trustees of municipal, joint and association libraries and with the county library commission of the county libraries or the county board of chosen freeholders. The State Librarian may require a certified audit if he or she deems necessary.

(b) State Aid funds must be expended within two years of the date of receipt of the funds. If not expended, the board of trustees, the county library commission or the board of chosen freeholders must submit to the State Librarian a plan for the use of the unspent balances at least 60 days before the deadline for expenditure. Failure to submit such a plan, or disapproval of the plan by the State Librarian, shall result in the withholding of State Aid payments.

(c) In reviewing the plan, the State Librarian will give consideration to the following:

1. Priority for the use of balances for expenditures which enable the library to comply with the provisions of this chapter;
2. Demonstration that expenditures contribute to the provision of efficient and effective library services, including capital needs and facilities;
3. Inclusion of realistic, attainable, time-bounded objectives.

As amended, R.1978 d.121, effective April 7, 1978.

See: 10 N.J.R. 95(a), 10 N.J.R. 183(b).

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Board of Chosen Freeholders added and 60 days before deadline for expenditure in (b) added.

Amended by R.2005 d.226, effective July 18, 2005.

See: 37 N.J.R. 723(a), 37 N.J.R. 2697(b).

In (a), added the first sentence.

15:21-2.9 Application of special census

An application for the use of a special census for the receipt of aid pursuant to N.J.S.A. 18A:74-3 shall be submitted in writing to the State Librarian for transmittal to the State Treasurer on or before October 15 of the year preceding that in which the special census would be used as a basis for the payment of per capita aid. The application must include the new census figure to be used, and written verification from the United States Bureau of the Census.

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Deleted reference to area library grants.

15:21-2.10 Library buildings; submission of program

Any library planning to use State Aid moneys for new construction, an addition or structural changes to the present building shall submit its building program and preliminary building plans to the State Librarian for review and approval.

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Deleted "extensive renovations"; added "structural changes".

15:21-2.11 Revision of criteria

The State Librarian shall review all State Library Aid rules every five years and recommend appropriate revisions to the Secretary of State to ensure that libraries throughout the State move toward the achievement of national standards and the development of appropriate library service. The State Library Advisory Council may recommend appropriate revisions to the State Librarian.

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Deleted reference to Archives and History.
Amended by R.2000 d.145, effective April 3, 2000.
See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).
Rewrote the section.

15:21-2.12 State Library Aid application

(a) An application form is available at the following address:

New Jersey State Library
Per Capita State Aid
185 West State Street
PO Box 520
Trenton, New Jersey 08625-0520

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Corrected address.

15:21-2.13 Appeals procedure

Appeals arising from any action of the State Librarian in administering the rules of this subchapter may be requested, and an opportunity given for an informal fair hearing before the State Librarian. In the event of an adverse decision after such an informal hearing, appellants may request a formal hearing pursuant to N.J.S.A. 18A:6-9, 18A:6-24, and 18A:6-27 and Reorganization Plan 002-1996. Such hearings shall be governed by the provisions of the Administrative Procedure Act (see N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., as implemented by N.J.A.C. 1:1).

New Rule: R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

SUBCHAPTER 3. INCENTIVE FOR LARGER SERVICE UNITS GRANT PROGRAM

15:21-3.1 Purpose

The rules in this subchapter provide for the development and expansion of larger units of library service to the residents of New Jersey, pursuant to the provisions of the State Library Aid Law (P.L. 1967, c.271), N.J.S.A. 18A:74-6.

Amended by R.2000 d.145, effective April 3, 2000.
See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).
Changed N.J.S.A. reference.

15:21-3.2 Eligibility

Any public library is eligible to participate in the program.

15:21-3.3 Categories in award of grants

(a) Each approvable application shall be assigned to one of the two categories as follows:

1. Municipal library assistance aid for the planning and development of joint libraries and cooperative services;
2. County library assistance aid for the planning and development of expanded county library service.

(b) The priority of categories and the percentage of funds allocated to each category shall be established each year by the State Librarian.

SUBCHAPTER 4. EMERGENCY AID

15:21-4.1 Purpose

The purpose of this emergency aid grant program is to help alleviate unforeseeable, emergency conditions in any public library.

New Rule: by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Amended by R.1995 d.290, effective June 5, 1995.
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

15:21-4.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Adequate insurance" means insurance covering, at a minimum, losses of 80 percent of replacement value, resulting from fire, floods, lightning, aircraft, earthquake, vehicles, explosions, riots, civil commotion, vandalism or malicious mischief.

"Emergency" means any damage or loss suffered by a public library in excess of \$50,000 or 10 percent of that

library's current operating budget, whichever is less, and which directly affects the accessibility to the library and its collections to the public. Damages or losses caused by normal wear and tear, deterioration, defect, mechanical breakdown or neglect are not considered emergencies.

"Reimbursable loss" means such damage or loss which is not indemnified elsewhere such as through insurance or similar payments.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 3.1 and added "adequate insurance".

15:21-4.3 Emergency aid grants

(a) Emergency aid grants up to 100 percent of reimbursable losses may be made as funds permit.

(b) In general, no more than 50 per cent of the sum allocated annually for emergency aid and incentive grants will be expended as emergency aid grants.

15:21-4.4 Method of application

(a) An intent to file a request for emergency aid must be received by the State Librarian within 90 days of damage or loss.

(b) An actual application for emergency aid must be received by the State Librarian within one year of damage or loss.

(c) A letter of application for emergency aid under N.J.S.A. 18A:74-6 must be submitted to the State Librarian. This letter of application, made by an officer of the library's board of trustees, shall include:

1. The amount of grant requested;
2. The date the emergency occurred;
3. The cause of damage or loss;
4. A detailed description of the damage or loss and the cost of replacement;
5. Sources and amounts of indemnification (such as insurance payments), if any;
6. An assurance that the library holds adequate insurance; and
7. Any additional reports or information the State Librarian may request.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

At (a) "letter of" application added; new 7. and 8. added and new (b) and (c) added.

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Added new (a) and (b); relettered former (a) as (c); deleted former (b) and (c); and deleted (c)6 and (c)7.

15:21-7.9 Reports and audits

(a) On or before March 1 in each year, each institutional library receiving institutional library services per capita State aid grants according to this subchapter shall prepare and transmit a report to the State Librarian of such information, as the State Librarian shall require, based upon the records and statistics of the preceding calendar year.

(b) On or before August 1 in each year, each institutional library receiving institutional library services developmental or institutional library services incentive State aid according to this subchapter shall prepare and transmit a report to the State Librarian of such information, as the State Librarian shall require, based upon the records and statistics of the preceding fiscal year.

(c) Grant recipients shall be required to submit other reports and financial audits as specified by the State Librarian in the grant announcement.

**SUBCHAPTER 8. MUNICIPAL BRANCH
LIBRARY SERVICES**
15:21-8.1 Purpose

The rules in this subchapter provide for the maintenance, operation and improvement of municipal branch libraries to meet community needs, pursuant to the provisions of the State Library Development Aid Law (P.L. 1985, c.297, N.J.S.A. 18A:74-3.2 through 3.4).

Amended by R.1995 d.290, effective June 5, 1995.
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

15:21-8.2 Eligibility

Any municipal public library which receives State aid pursuant to N.J.S.A. 52:27D-178 et seq. and maintains one or more branch libraries is eligible to participate in the program.

Amended by R.1995 d.290, effective June 5, 1995.
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

15:21-8.3 Categories in award of grants

(a) Each approvable application shall be assigned to one of the two categories as follows:

1. Municipal branch library assistance for planning; or
2. Municipal branch library assistance for operations and improvements.

(b) The priority of categories and the percentage of funds allocated to each category shall be established each year by the State Librarian.

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**SUBCHAPTER 9. COLLECTION EVALUATION
AND DEVELOPMENT**
15:21-9.1 Purpose

The rules in this subchapter provide for assistance to any public library for the evaluation and development of collections, pursuant to the Library Development Aid Law, (Chapter 292, Laws of 1985), N.J.S.A. 18A:74-3.2.

15:21-9.2 Eligible projects

(a) Grants will be made to public libraries to support individual or coordinated collection evaluations and/or user studies.

(b) Grants will be made to public libraries to purchase library materials, either individually or as part of a group of libraries sharing a coordinated collection development plan.

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In (b), substituted "purchase library materials" for "develop collection subject specialties" following "libraries to".

15:21-9.3 Funding allocation

The State Librarian shall determine annually percentages of the total funding to be assigned to each eligible project area.

**SUBCHAPTER 10. MAINTENANCE OF LIBRARY
COLLECTIONS**
15:21-10.1 Purpose

The rules in this subchapter provide for assistance to libraries to be used for housing, protection, preservation, repair, restoration and maintenance of collections of historical or special interest, pursuant to the provisions of the Library Development Aid Law, (Chapter 297, Laws of 1985), N.J.S.A. 18A:74-3.2(c).

15:21-10.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Accessibility" means availability of materials for borrowing, consultation, in-house use or reproduction, depending on the nature and condition of the materials and the collections.

"Comprehensive preservation program" means the organization and operation of all activities associated with maintaining library materials for use.

"Comprehensive preservation program development" means the initial steps taken by a library in planning for the establishment of a comprehensive program for preservation of its materials, including consultant visits, reports, and self-studies.

"Condition survey" means a systematic study of a library collection to ascertain its physical state.

"Conservation treatment" means the direct use of chemical and physical procedures to ensure the preservation of library materials.

"Cooperative preservation planning and programs" means planning or programs carried out by a group of libraries concerned with the care, protection and salvage of their collections.

"Housing" means the provision of equipment, products, supplies and appropriate environmental conditions or their creation and maintenance for the long term storage and maintenance of a collection.

"Identification/inventory" means a descriptive list of items in a collection, giving as a minimum the title, dates, quantity, arrangement, description of significant subject content and estimate of uniqueness, in a format meeting appropriate bibliographic standards.

"Materials" means physical entities of any substance that serve as carriers of information.

"Materials conversion" means the process of converting library materials from one format to another for the purpose of preservation.

"Organization" means the systematic arrangement of the collection to facilitate access.

"Preservation" means the activities and organization associated with maintaining library and archival materials for use, either in their original physical form or in some other permanent and durable format.

"Protection" means any of the various activities, containers and materials which shield library materials from the harmful effects of storage, environmental conditions and use.

"Repair" means the partial rehabilitation of a worn item using high quality, long lasting materials and supplies and accepted, conservationally sound methods.

"Restoration" means any of various processes whereby a deteriorated book or paper document or other library material is returned as nearly as possible to its original condition.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted definitions for "collection maintenance", "collection of historical or special interest", "library", "maintenance", "privately and publicly supported libraries."

Administrative Correction: Added "used" to introduction.

See: 22 N.J.R. 2359(a).

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

Deleted "Disaster recovery" and "Emergency planning".

15:21-10.3 Eligible projects

(a) Grants will be made to libraries to increase accessibility to historical or special interest collections through projects including identification/inventory, organization and preservation, condition survey, comprehensive preservation program development, protection, housing, materials conversion, repair, conservation treatment and restoration.

(b) Grants will be available for cooperative preservation planning and programs.

(c) The State Librarian may establish annual priorities for the awarding of funds.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added new (c).

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Amended by R.2000 d.145, effective April 3, 2000.

See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

In (a), deleted "emergency planning, disaster recovery," following "development."

15:21-10.4 Funding allocation

(a) No less than 75 percent of program funding will be used for grant awards to publicly supported libraries.

(b) No more than 25 percent of program funding will be used for grant awards to privately supported libraries.

(c) When there are insufficient eligible applications from publicly supported libraries to account for 75 percent of program funding, remaining funds may be used for privately supported libraries.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted (c).

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

SUBCHAPTER 11. PUBLIC LIBRARY PROJECT GRANT PROGRAM

Authority

N.J.S.A. 18A:72-1, 18A:74-10, 18A:74-25, and 18A:74-26;
Reorganization Plan No. 002-1996.

Source and Effective Date

R.2001 d.154, effective May 21, 2001.

See: 33 N.J.R. 633(a), 33 N.J.R. 1620(a).

15:21-11.1 Purpose

The rules set forth in this chapter provide for a Public Library Project Grant Program, which authorizes the Public Library Construction Advisory Board to supervise and administer State funds to assist in the construction, expansion, rehabilitation or acquisition of a public library building, pursuant to the provisions of P.L. 1999, c.184 (N.J.S.A. 18A:74-24 et seq.).

15:21-11.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Applicant" means the library, municipality, or county providing the matching funds.

"Board" means the Public Library Construction Advisory Board established pursuant to section 3 of P.L. 1999, c.184 (N.J.S.A. 18A:74-26).

"Public library" means a municipal, county or joint library established pursuant to N.J.S.A. 40:33-1 et seq. or 40:54-1 et seq.

"Rehabilitation" means extensive renovation, alteration or reconstruction of existing buildings to be used for public library purposes.

"Substantial changes" means a 10 percent or more change in the eligible costs as submitted in the application to the Board.

15:21-11.3 Eligible applicants

(a) An eligible applicant is a municipal, county or joint library established pursuant to N.J.S.A. 40:33-1 et seq. or 40:54-1 et seq.

(b) During the calendar year prior to submission of application, the library shall have met all criteria for receipt of State Library Aid (N.J.A.C. 15:21-2.7).

15:21-11.4 Eligible projects

(a) The following projects are eligible for a grant:

1. Construction of a new building to be used for public library purposes;
2. Construction of an addition to an existing building to be used for public library purposes;
3. Acquisition of land on which there is to be construction of new buildings or expansion of existing buildings to be used for public library purposes;
4. Acquisition of a building to be used for public library purposes;
5. Rehabilitation of existing buildings to be used for public library purposes, which may include, but is not limited to, energy conservation, providing access for the

disabled, and bringing facilities into compliance with current health and safety standards. The rehabilitation must be extensive and clearly not routine maintenance and repair; and

6. Any combination of (a)2, 4 or 5 above. The acquisition of land can be added to the preceding combinations.

(b) All projects shall meet the minimum size criteria in N.J.A.C. 15:21-11.6(e)1 Table A.

1. If the application combines a rehabilitation project, and the construction of an addition, the total floor space of the addition, when added to the floor space of the existing structure, shall meet the minimum size criteria in N.J.A.C. 15:21-11.6(e)1 Table A.

(c) For each rehabilitation and/or acquisition project, a building analysis shall be prepared by a registered architect and shall be part of the application. The architect or a building consultant shall prepare a building program and such program shall be submitted as part of the application. The architect shall certify that the rehabilitated structure and all its component parts shall have a life expectancy of 20 years or more. Studies made by the architect regarding the following shall be submitted in substantiation of the suitability and practicality of the acquisition or rehabilitation:

1. The building shall be examined to determine that it is structurally sound;
2. The building shall be examined to determine if it is suitable for acquisition or rehabilitation and upon completion will require no more than normal, annual maintenance;
3. An analysis of the space requirements and allocation of space shall be made to determine if the structure, as acquired or rehabilitated, will meet modern concepts of library services to the community it serves; and
4. An analysis of all mechanical aspects of construction to determine the need for replacement or improvement.

(d) The following projects are ineligible for a grant:

1. A school-public library combination;
2. Any project for which construction has been completed prior to the enactment of P.L. 1999, c.184 (N.J.S.A. 18A:74-24 et seq.) on August 18, 1999;
3. Refurbishing of an existing building (carpeting, painting, etc.) when not part of a rehabilitation project; and
4. Maintenance and repair.

15:21-11.5 Eligible project costs

(a) In order to promote the construction of projects in an economical manner, the Board, upon recommendation of the State Librarian, shall periodically set a ceiling on maximum per square foot project cost beyond which project costs will not be eligible in the computation of the State share of funding. Maximum square feet costs of new construction and renovation have been set at:

1. \$160.00 per square foot for new construction; and
2. \$120.00 per square foot for renovation.

(b) Should some portion of the proposed construction be intended for use for other than library purposes, such as municipal offices or a general municipal meeting room, this space may not be included in the computation of available square feet of space. Construction costs relating to these non-public library use areas are not eligible to be used for matching purposes. The application shall clearly designate the non-public library use areas and their related costs. Grant awards shall be reduced by the amount of those related costs.

(c) The cost of any shared space submitted for grant funding shall be prorated on the basis of the percentage of library use. For example, a meeting room that shall be used 50 percent of the time by the public library is eligible for funding at only 50 percent of the cost.

(d) The following project costs shall be eligible for grants, at the discretion of the Board:

1. Construction of new buildings and expansion, rehabilitation or acquisition of existing buildings to be used for public library purposes;

2. Expenses, other than interest and the carrying charge on bonds, incurred after August 18, 1999, related to the acquisition of land on which there is to be construction of new buildings or expansion of existing buildings or acquisition of existing buildings to be used for public library purposes, provided the expenses constitute an actual cost or a transfer of public funds in accordance with the usual procedures generally applicable to all State and local agencies and institutions;

3. Site grading and improvement of land on which buildings used for public library purposes are located or are to be located;

4. Architectural, engineering, consulting and inspection services related to the specific project for which application for financial assistance is made; and

5. Expenses relating to the acquisition and installation of equipment to be located in public library facilities, including all necessary building fixtures and utilities, furniture and equipment, such as library shelving and filing equipment, catalogs, cabinets, circulation desks, reading tables, study carrels, and information retrieval devices including video, voice, and data telecommunications equipment and linkages with a useful life of 10 years or more necessary for Internet access, but not including books or other library materials. Only equipment to be used in projects funded under this act is eligible. In no case shall costs for furnishings and equipment that are in excess of 30 percent of the total renovation costs of the project be considered eligible for matching.

15:21-11.6 Project criteria

(a) All applications shall meet the requirements and criteria of this subchapter. Exceptions may be allowed. Those interested in applying for possible exceptions must request an interview and present a written rationale to the State Librarian. Exceptions will be considered if they fulfill the purposes of the proposed or awarded grant more reasonably or efficiently. The State Librarian will present the request to the Public Library Construction Advisory Board for final approval.

(b) The applicant shall be in possession of a fee simple title or such other estate or interest in the site, including access thereto, as is sufficient to assure undisturbed use and possession of the facilities for not less than 20 years. Ownership of site by the applicant includes ownership of the land by the municipality(ies) of the applicant or the county(ies) in the case of a county or regional library application, provided that such land has been formerly dedicated to library use.

(c) The applicant shall have local matching funds for the project (the difference between project costs and the potential grant award) which equal 300 percent of the grant amount before final approval can be given. Within three months following notification of eligibility for a grant award, evidence shall be submitted by the applicant that funds have been appropriated or bonds or debt have been authorized for financing of the project. Such evidence shall include copies of the ordinance of appropriation passed on final reading and approved.

(d) Floor space is meant to include total square footage of space available for public library purposes including outer walls, areas provided for mechanical equipment and maintenance requirements and storage. These areas shall have heat, light and ventilation and square footage commensurate with their purposes.

(e) The estimated population for 10 years after the year in which application is made shall be used to determine the population base of the area served by the applicant library. For areas experiencing a population decline, the population estimate of the New Jersey Department of Labor for one year prior to the fiscal year in which the grant application is made shall be used as the population base.

1. For new construction, the population base as determined above shall be used to compute the minimum project size, as specified in Table A below, required to qualify an applicant for a grant.

Table A

<u>Population to be Served by the Project</u>	<u>Minimum Square Feet of Floor Space</u>
Under 10,000	3,500 square feet +.7 square feet per capita over 5,000 pop.
10,000-24,999	7,000 square feet +.6 square feet per capita over 10,000 pop.