

CHAPTER 21

STATE LIBRARY AID AND GRANTS

Authority

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18A:74-10 and 18A:74-14

Source and Effective Date

R.2000 d.145, effective March 10, 2000.
See: 32 N.J.R. 174(a), 32 N.J.R. 1244(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 21, State Library Aid and Grants, expires on August 6, 2005. See: 37 N.J.R. 723(a)..

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 re-adopted 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 re-adopted 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9 was recodified as Subchapter 10, Maintenance of Library Collections, and former Subchapters 2, 6 and 7 were repealed by R.1990 d.179, effective March 19, 1990.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 re-adopted 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 re-adopted as R.2000 d.145, effective March 10, 2000. See: Source and Effective Date. See, also, section annotations.

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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 on-line, 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 mediated 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 clerk” 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 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.

“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”.

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 publication “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.”

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.

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.

15:21-2.3 Certification

In order to receive any State library aid, all public libraries serving populations of 7,500 or above shall employ certified librarians in professional positions 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.

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. 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. All of the above are exclusive of security, janitorial or custodial employees.

Chart A
Full-Time Paid Employees

| Population | Total Number of Full-Time Paid Employees |
|-----------------|--|
| 0- 3,999 | 1 |
| 4,000- 7,999 | 2 |
| 8,000-11,999 | 3 |
| 12,000-15,999 | 4 |
| 16,000-19,999 | 5 |
| 20,000-23,999 | 6 |
| 24,000-27,999 | 7 |
| 28,000-31,999 | 8 |
| 32,000-35,999 | 9 |
| 36,000-39,999 | 10 |
| 40,000-43,999 | 11 |
| 44,000-47,999 | 12 |
| 48,000-51,999 | 13 |
| 52,000 and over | 14 plus one additional full-time paid employee for each additional 4,000 population. |

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. At no time shall either part-time employee work less than 10 hours per week.

2. Professional staff:

i. All libraries serving populations of 7,500 or more must employ as library director a full-time professional librarian who holds a professional librarian certificate. Libraries serving between 7,500 and 9,999 in population shall be exempt from meeting the requirement 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 or the full-time equivalent for each 10,000 population as set forth in Chart B below.

iv. Libraries serving a population over 50,000 must employ a minimum of one full-time professional librarian or the full-time equivalent for every 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 B below.

Chart B

| Population | Number of Full-Time Professionals |
|-------------------|---|
| 0 - 7,499 | 0 |
| 7,500 - 19,999 | 1 |
| 20,000 - 29,999 | 2 |
| 30,000 - 39,999 | 3 |
| 40,000 - 49,999 | 4 |
| 50,000 - 69,999 | 5 |
| 70,000 - 89,999 | 6 |
| 90,000 - 109,999 | 7 |
| 110,000 - 129,999 | 8 |
| 130,000 and over | 9 plus one additional full-time professional for each additional 20,000 population. |

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.

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 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 1/10 volume.

(c) Periodical holdings and subscriptions shall be provided as set forth in Chart C below.

Chart C
Periodical Holdings

| Population | Number of Periodicals | Number of Periodicals Listed in Indexes | Number Retained for 3 Years |
|-----------------|-----------------------|---|-----------------------------|
| 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. In addition, each library shall purchase the index or indexes which are necessary to provide access to information contained within the periodicals, or subscribe 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 which indexes the library's periodicals.

(d) Each library shall provide public access to the Internet.

(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).

15:21-2.6 Hours of service

(a) The following minimum hours of service are required:

| Population Served | Hours Open Per Week |
|-------------------|---------------------|
| 0- 7,500 | 30 |
| 7,500- 9,999 | 35 |
| 10,000-24,999 | 45 |
| 25,000-49,999 | 50 |
| 50,000 and over | 60 |

(b) 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. Seasonal (summer or other special) variations are permitted for three months per year. The State Librarian may authorize other variations to accommodate local conditions.

(c) 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.

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".

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 by a percentage in proportion to the number of requirements not yet achieved, each requirement to have the following weights:

1. N.J.A.C. 15:21-2.4:
 - i. Employees: 30 percent.
2. N.J.A.C. 15:21-2.5:
 - i. Basic book collection: 10 percent.
 - ii. Annual purchases: 20 percent.
 - iii. Periodicals: 10 percent.
 - iv. Public Internet access: 10 percent.
3. N.J.A.C. 15:21-2.6:
 - i. Hours of service: 20 percent.

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.

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

(a) 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.

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.