

CHAPTER 64

PUBLIC, SCHOOL AND COLLEGE LIBRARIES

Authority

N.J.S.A. 18A:1-1, 18A:4-15, 40:9A-4 and
40:33-13.2d through 40:33-13.2n.

Source and Effective Date

R.1992 d.399, effective September 14, 1992.
See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).

Chapter Expiration Date

Pursuant to Executive Order No. 22(1994), Chapter 64, Public, School and College Libraries, expires on March 14, 1999. See: 26 N.J.R. 3783(a) and 3942(a).

Chapter Historical Note

All provisions of this chapter became effective prior to September 1, 1969 pursuant to authority of N.J.S.A. 40:9A-4. Subchapter 2 became effective June 6, 1983 as R.1983 d.199. See: 15 N.J.R. 194(a), 15 N.J.R. 890(b). This chapter was readopted pursuant to Executive Order 66(1978) effective January 11, 1988, with amendments to all sections of the chapter except for 1.4 and 1.5, effective February 16, 1988 as R.1988 d.67. See: 19 N.J.R. 1931(a), 20 N.J.R. 368(a). Public Notice: Public testimony session held on June 17, 1992. See: 24 N.J.R. 2081(a). Pursuant to Executive Order No. 66(1978), Chapter 64 was readopted as R.1992 d.399, effective September 14, 1992. See: Source and Effective Date.

See section level annotations for specific rulemaking activity.

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SUBCHAPTER 1. STANDARDS FOR FEDERATION OF FREE PUBLIC LIBRARIES

6:64-1.1 Advisory council of federation of free public libraries; appointment; term

(a) Each federation shall have an advisory council appointed by the boards of trustees of the free public libraries of the municipalities constituting the federation and by the county library commission, if the county library is a participating member.

(b) Membership on the advisory council shall be restricted to the membership of the appointing authorities.

(c) The number of members on the advisory council and the apportionment among the appointing authorities shall be determined by agreement, except that there shall be at least one representative from each appointing authority.

(d) The term of each member of the advisory council shall be two years, or as determined by the appointing authority.

6:64-1.2 Duties of advisory council of federation of free public libraries

(a) The advisory council shall advise the appointing authorities on all matters relating to cooperative or joint library services, including the review of all contracts, and shall make recommendations for revision or renewal as may be advisable and practical.

(b) Such recommendations shall be delivered to the appointing authorities at least three months before the fiscal year for which the proposed contract is designed.

Amended by R.1992 d.399, effective October 5, 1992.

See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).

Language changed in (b) to allow needed lead time when contracting year is not on calendar year basis.

6:64-1.3 Employees of federation of free public libraries

(a) The libraries maintained by the contracting parties shall employ an aggregate of at least one full-time employee, or the equivalent thereof in part-time employees, exclusive of custodial and janitorial employees, for each 4,000 persons served by such libraries.

(b) At least one-third of the aggregate number of employees specified in (a) above shall hold professional librarians' certificates as specified in N.J.S.A. 45:8A-1 et seq.

Amended by R.1992 d.399, effective October 5, 1992.

See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).

Changed reference to "free" public libraries.

6:64-1.4 Selection of books, specialization

Arrangement shall be made to provide for the cooperative selection of books and other library materials and for the cooperative specialization in the selection and retention of books and other library materials by the constituent libraries.

6:64-1.5 Other cooperative operations of federation of free public libraries

(a) Provision shall be made for any or all, but not fewer than two, of the following cooperative or joint services:

1. Reciprocal borrowers' privileges;
2. Centralized purchase of books, other library materials, supplies and equipment;
3. Centralized processing of books and other library materials;
4. Uniform rules and procedures for the circulation of books and other library materials;
5. Uniform rules and procedures for the registration of borrowers;
6. The joint employment of personnel for specialized library services; and
7. Other cooperative or joint library services comparable to any of the provisions listed above to insure the convenient use of the constituent libraries.

Amended by R.1992 d.399, effective October 5, 1992.
See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).
Editorial changes only.

SUBCHAPTER 2. COUNTY LIBRARY REORGANIZATION

6:64-2.1 Scope and purpose

The rules set forth in this subchapter provide for the implementation of three options for county library reorganization as provided in N.J.S.A. 40:33-13.2d et seq. The options for county library reorganization are designated as the "branch development option", the "service contract option" and the "tax base sharing option".

6:64-2.2 Definitions

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

"Branch library" means an auxiliary outlet of a county library 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.

"County library system" means a county library established pursuant to N.J.S.A. 40:33-1 et seq. or N.J.S.A. 40:33-15 et seq.

"Joint branch library" means an auxiliary outlet of a county library serving two or more adjacent municipalities, funded primarily and administered totally by a county library commission.

"Library service" means, but is not limited to, acquisition and technical processing of materials, allocations for the purchase of print and nonprint library materials, bulk loans of library materials, provision of public relations services, professional staffing, programming and consulting assistance.

"Member of a county library system" means a municipality providing financial support to a county library pursuant to N.J.S.A. 40:33-9 or a municipality receiving first level services pursuant to N.J.S.A. 40:33-15 et seq.

"Patron services" means circulation of library materials, reference assistance and public programs provided by a county library.

"Service contract" means an agreement for library services negotiated among a county library commission, the governing body of a county and the governing body of a municipality.

Amended by R.1992 d.399, effective October 5, 1992.
See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).
Expanded definition of "branch libraries".

6:64-2.3 General provision

(a) A county branch library and joint branch library must be under the full-time supervision of a paid certified professional librarian.

(b) There must be a library building adequate to house the collection with a separate meeting room and at least three readers' seats for every 1,000 population of its municipality(ies). The building may be owned by the municipality or county, or the building may be rented.

(c) A county branch library and a county joint branch library must meet the quantitative State aid criteria for a public library serving the population of the municipality(ies) (see N.J.A.C. 6:68-2.4 to 2.6). Consideration will be given to an adjustment of these requirements if it can be shown that equivalent centralized services are provided.

(d) After the establishment of a county branch library or a joint branch library, the county library must submit annually to the State Librarian a report certifying that the branch library or joint branch library meets the standards enumerated in (a), (b) and (c) above.

(e) After the adoption of a service contract, the county library must submit annually to the State Librarian a copy of the service contract with a statement certifying that the services provided to a municipality are as specified in N.J.A.C. 6:68-2.4 to 2.6. The county library may request from the State Librarian a waiver from the requirements of N.J.A.C. 6:68-2.4 to 2.6 if it can be established that equivalent centralized services are provided.

(f) After the adoption of the tax base sharing option, the county library must submit annually to the State Librarian a report certifying that it complies with N.J.A.C. 6:68-2.4 to 2.6.

Amended by R.1992 d.399, effective October 5, 1992.
See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).
Corrected internal cites.

6:64-2.4 Appeal 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, a formal hearing may be requested pursuant to N.J.S.A. 18A:6-9. Such hearings shall be governed by the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Amended by R.1992 d.399, effective October 5, 1992.
See: 24 N.J.R. 2126(a), 24 N.J.R. 3538(b).
Corrected cross reference cite.