

STATE

DIVISION OF THE STATE LIBRARY

Library Network Services

Proposed Readoption with Amendments: N.J.A.C. 15:22

Authorized By: Jennifer R. Nelson, State Librarian (with the approval of Merodie A. Hancock, Ph.D., President, Thomas Edison State University).

Authority: N.J.S.A. 18A:73-35.i.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-091.

Submit written comments by October 3, 2025, to:

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Summary

The Division of the State Library (Division) proposes to readopt with amendments, N.J.A.C. 15:22, Library Network Services. The rules in this chapter were scheduled to expire on October 1, 2025. The Division filed this notice of readoption with the Office of Administrative Law prior to that date; therefore, the expiration was extended 180 days to March 30, 2026, pursuant to N.J.S.A. 52:14B-5.1.c(2).

The rules proposed for readoption with amendments implement P.L. 1983, c. 486 (N.J.S.A. 18A:73-35a et seq.), known as the Library Network Law, which establishes and

designates regional library cooperatives to promote the cooperative use of services and materials by all types of libraries in the State. There is currently one Statewide library cooperative operating in New Jersey.

Amendments in the subchapters are proposed to clarify and ensure consistency of language and definitions, and to update provisions to better reflect the needs of New Jersey's public libraries in the 21st century. The wording changes also ensure coherence between this subchapter and N.J.A.C. 15:21, State Library Aid and Grants.

The Division has conducted an administrative review and determined that, except for the proposed amendments described below, these rules are necessary, reasonable, and proper for the purposes for which they were originally promulgated, as required pursuant to Executive Order No. 66 (1978), and the State Library is, therefore, proposing them for readoption with amendments at this time. The substantial provisions of the rules proposed to be readopted and amended are summarized below. Minor clarifying and/or technical amendments may also be proposed; those do not change the meaning of the text and are not discussed further.

A summary of N.J.A.C. 15:22 and the proposed amendments follows:

SUBCHAPTER 1. GENERAL PROVISIONS

N.J.A.C. 15:22-1.1, Scope and purpose, establishes and designates a library cooperative to promote the cooperative use of services and materials of all types of libraries in New Jersey on a Statewide basis.

N.J.A.C. 15:22-1.2, Definitions, provides definitions of terms and words used in the chapter.

Amendments are proposed that would align the definitions with other library rules and clarify the meaning of terms to reflect library services in the 21st century. The following terms are amended or added as indicated. "Interlibrary loan" is revised to include library materials of any available

format and to remove “mediated” as a distinction for how the service is provided. “Mediated” is no longer relevant, as most interlibrary loans are now self-service. “Lay representative” is revised to expand eligibility to people with library education/experience, but not employed by a library or related agency. This addresses difficulties in locating lay representatives to serve and ensures individuals are knowledgeable. “Local library cooperative” is included as a type of library agency that precludes being a lay representative. “Library cooperative” is added to provide additional clarity to what the organization is, how it is organized, and to ensure alignment of understanding within the regulatory language. “Library materials” is amended to reflect new models of library collection development to include items acquired through a lease or subscription model; this is to add clarity. “Library network” is amended to clarify that local library cooperatives may be members. “Public library” is amended to align with library statutes and provisions of related library regulations. “Reference service” is amended to remove language related to “mediated” and “non mediated” types of transactions, which are no longer relevant to library reference services. “School district” is updated to include the current name of the Department of Education’s directory.

N.J.A.C. 15:22-1.3 is reserved.

N.J.A.C. 15:22-1.4, Library cooperative, formation, outlines the process for the establishment of the library cooperative.

N.J.A.C. 15:22-1.5, Library cooperative; organization and membership – describes the eligibility criteria and application process for membership in the cooperative. A proposed amendment would add “local library cooperative” to the list of eligible entities and remove the requirement that members have an organized collection of information. The requirement for an organized collection of information is outdated and reflects organizations that are “book-based”

as opposed to providing key services related to technology. This proposed amendment clarifies that library consortia – nonprofit organizations that provide services to member libraries – are eligible to participate in Statewide services and the cooperative. The proposed amendment also adds that a local library cooperative may serve as a cooperative purchasing system for its members subject to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

N.J.A.C. 15:22-1.6, Voting, outlines the voting structure of the library cooperative's membership. An amendment is proposed to increase voting representation for public libraries that have two or more branches. The current structure causes a structural inequity in representation. Due to the mix of municipal, joint, and county free public libraries, larger library systems have felt that their needs have not been well-represented within the existing structure. Overall, this proposed amendment would result in 22 additional votes (out of a 2,000-member organization), which would allow impacted members to feel better represented. This recommendation came from the Library Regulations Working Group.

N.J.A.C. 15:22-1.7, Duties of council of members, outlines the duties of members of the library cooperative. A proposed amendment would remove the duty of approving the long-term plan and the annual operating program. This is in response to feedback from the executive director that achieving quorum in a full membership meeting has proved difficult in recent years; and that the executive board is representative of all members, so is a sufficient proxy. The requirement for council of members review remains.

N.J.A.C. 15:22-1.8, Executive board; organization and duties, outlines the composition of the executive board and the duties of board members for the library cooperative. The proposed amendment would reduce the number of lay representatives by one, while increasing the number of at-large members by one. Feedback from the executive director is that the lay member

positions have been difficult to fill, and one lay representative is sufficient. The other change recommended is to provide more flexibility in the duration of the strategic plan to be up to five years, rather than three. Feedback from former executive board members indicates that a fixed three-year plan is too short and results in an unreasonable amount of time spent in the planning process, rather than on implementation. Terminology is updated to clarify that a “program” is an annual work plan.

N.J.A.C. 15:22-1.9, Executive board; term of office, provides for the initial election and procedure for filling vacancies in the library cooperative’s executive board.

N.J.A.C. 15:22-1.10, Executive director; appointment and duties, outlines educational requirement and duties for the executive director hired by the executive board of the library cooperative. Amendments are proposed that would establish job titles/positions in accordance with organizational needs and provide monthly financial reporting to the executive board and State Librarian. These amendments are proposed to clarify expectations related to executive board engagement in staffing and increased transparency in financial management. The executive director’s educational requirement would be amended to require State certification within 12 months of hiring, so as not to discourage potential applicants from other states.

N.J.A.C. 15:22-1.11, Library cooperative; responsibilities and services, identifies the requirement for strategic and work plans, and areas of service that must or may be offered by the library cooperative. Proposed amendments would incorporate local library cooperatives and continue the updated time frame of the strategic plan, as referenced above. The scope of services provided at subsection (e) is changed from mandatory to optional to reflect the understanding that one organization is not likely to have the capacity to carry out each item, each year and instead allows the organization to identify priorities within the possible areas of service.

N.J.A.C. 15:22-1.12, Withdrawal from the library cooperative, provides the procedure and timing from member withdrawal from the library cooperative.

N.J.A.C. 15:22-1.13, Dissolution of the library cooperative, outlines the procedure to be followed by the State Librarian if the cooperative submits a plan for dissolution. Proposed amendments reflect the addition of a three- to five-year plan for the cooperative, as referenced above.

N.J.A.C. 15:22-1.14, Local library cooperatives, sets forth the process for what organizations may apply to the State Librarian for recognition as a local library cooperative among themselves. Proposed amendments allow the local library cooperative to apply directly to the State Library for such status.

N.J.A.C. 15:22-1.15, Statewide library services, requires the State Library to ensure that services are provided and the authority to contract with other entities to provide services. Proposed amendments would include local library cooperatives as eligible organizations to enter a contract and indicates that the scope of services may be inter-regional, as well as Statewide.

N.J.A.C. 15:22-1.16, Library network review board, provides for a review board and its membership and duties, and indicates a process for filling vacancies.

N.J.A.C. 15:22-1.17, Allocation of library network funds, instructs the State Librarian to determine the budget allocation to be spent on Statewide library services, to identify the services provided and amount to be expended.

N.J.A.C. 15:22-1.18, Appeals and hearing process, provides for an appeal process rising from any action of the State Librarian in administering Library Network Services.

As the Division has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

Library Network Services provides nine million New Jersey residents with equitable access to library services through the library cooperative and other Library Network Services. The services reduce local library costs for interlibrary loan, and e-resource content this allows local libraries to be more responsive to unique local needs with their locally available resources. This, in turn, improves the social infrastructure in New Jersey's communities – large and small – through the provision of high-quality and responsive library services. Services offered at local libraries may include, but are not limited to, education, workforce, healthcare, civic engagement, social connection, and literacy. The social impact of the library cooperative and Library Network Services enhances local services by ensuring core library services are readily available to meet library patron needs.

Economic Impact

No economic impact is anticipated, as the funding allocated to Library Network Services will not increase or decrease as a result of the rules proposed for readoption with amendments.

Federal Standards Statement

The rules proposed for readoption with amendments are not subject to Federal standards or requirements, therefore, a Federal standards analysis is not required.

Jobs Impact

The Division anticipates that there will be no increase or decrease in the number of jobs resulting from the rules proposed for readoption with amendments.

Agriculture Industry Impact

The rules proposed for readoption with amendments have no impact upon the agriculture industry.

Regulatory Flexibility Analysis

The rules proposed for readoption with amendments do not create additional burdens related to compliance, recordkeeping, or reporting upon small businesses, as that term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16, as the rules pertain to the State Library and the State's library cooperative.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments will not have an impact on the affordability of housing in New Jersey nor will they evoke a change in the average costs associated with housing because the rules proposed for readoption with amendments concern the State Library and the State's library cooperative.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments will not have an impact on smart growth in Planning Areas 1 or 2, or within designated centers, pursuant to the State's Development and Redevelopment Plan because the rules proposed for readoption with amendments pertain solely to the State Library and the State's library cooperative.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The rules proposed for readoption with amendments will have no impact on pretrial detention, sentencing, probation, or parole policies as they concern the operation, governance, and funding of the library network. Accordingly, no further analysis is required.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 15:22.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

15:22-1.2 Definitions

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

...

"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 **in any format** may be provided.

"Lay representative" means a New Jersey resident who is not [eligible for a certificate as a professional librarian, associate educational media specialist or educational media specialist and is not] in the employ of any New Jersey library or library-related agency [defined in this chapter] **or a local library cooperative**. Members of library boards of trustees shall be considered lay representatives.

"Library cooperative" means the membership organization of libraries and library-related agencies organized as a non-profit corporation pursuant to [N.J.S.A. 15A:1-1](#) et seq., that has agreed to provide and receive cooperative services and that has been designated as the library cooperative by the State Librarian.

"Library materials" means print, [and] nonprint, **and subscription-based or leased** items.

"Library network" means all libraries in the library cooperative, the State Library, and any other libraries **or local library cooperative** providing services to other libraries.

...

"Public library" means a municipal, county, association, or joint library **established pursuant to N.J.S.A. 15A:1-1 et seq., or established pursuant to N.J.S.A. 40:33-1 et seq., or 40:54-1 et seq., and** which receives public funding.

"Reference service" means the response to user needs by [either mediated] question handling or [non-mediated] **providing** access to information. [A mediated reference transaction involves the use, recommendation or instruction in the use of one or more information sources, or referral to such sources elsewhere, by a member of the reference/information staff. A non-mediated reference transaction is the use of resources without the assistance of reference/information staff.]

...

"School district" means an operating school district as listed in the current New Jersey State Department of [Education directory] **Education's New Jersey School Directory**. For the purposes of this program, every school (public and nonpublic) located within a district so listed shall be considered a member of the district.

...

15:22-1.5 Library cooperative; organization and membership

(a) (No change.)

(b) To be eligible to become a member of the library cooperative, a library, **a local library cooperative**, or library-related agency shall have explicit service objectives, a fixed location, and regular hours of service[, an organized collection of information and materials accessible for use

by its designated clientele,] and qualified staff. Its organizational structure shall be identifiable with a legal basis for operation and an established funding pattern. It shall be willing and able to contribute to the appropriate services and programs as determined by the library cooperative and mutually agreed upon. **A local library cooperative may also serve as a cooperative purchasing system subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and rules promulgated by the Director of the Division of Local Government Services in the Department of Community Affairs.**

(c) The board of governance or the appropriate administrative authority for each eligible library, **local library cooperative**, and library-related agency that wishes to become a member of the library cooperative shall take official action as specified by the State Librarian to join the library cooperative.

(d) (No change.)

15:22-1.6 Voting

(a) Each academic library, institutional library, public library, special library, and each library-related agency that is a member of the library cooperative shall have one vote in the council of members except as specified [in] **at (a)1, [and] 2, and 3** below. The voting representative shall be appointed by the board of governance or the appropriate administrative authority of the library or library-related agency.

1.-2. (No change.)

3. A public library that has two to five branches shall have two votes in the council of members; a public library that has six to 10 branches shall have three votes in the council of members; a public library that has 11 to 15 branches shall have four votes in the

council of members; and a public library that has more than 15 branches shall have five votes in the council of members.

(b)-(c) (No change.)

15:22-1.7 Duties of council of members

(a) The duties of the council of members of the library cooperative shall include, but not be limited to, the following:

1. (No change.)

2. Elect members of the executive board; **and**

[3. Approve the three-year plan and its annual operating program; and]

[4.] **3.** (No change in text.)

15:22-1.8 Executive board; organization and duties

(a) The executive board shall be composed of a minimum of nine and a maximum of 15 members to include at least:

1. Five members elected by the council of members of the library cooperative: one each from an academic library, an institutional library, a public library, a school library, and a special library. If an [institutional] **organizational** representative is not available, that position may be filled by an at-large representative;

2. (No change.)

3. [Two] **One** lay representative[s] elected in accordance with the bylaws adopted by the library cooperative; and

4. Additional members, up to a maximum of [six] **seven**, who shall be elected in accordance with bylaws adopted by the council of members of the library cooperative.

(b) (No change.)

(c) The duties of the executive board shall be to:

1. (No change.)

2. Develop the [three-year] **three- to five-year strategic** plan and [submit it to the council of members of] **annual work plan; present it and any revisions to** the library cooperative **annually** [for approval];

3. Develop the annual [operating program] **work plan** and budget and any revisions to the [three-year] **three- to five-year** plan and submit them [in writing] to the council of members of the library cooperative [for approval] **annually**;

4. Contract with libraries, library-related agencies, local library cooperatives, commercial vendors, or individuals to implement the [three-year] **three- to five-year** plan for the library cooperative;

5. (No change.)

6. Submit quarterly a written report[, either] in [paper or] electronic form, including a financial report to the membership of the library cooperative and to the State Librarian;

7. Submit the [three-year] **three- to five-year** plan, the annual [update] **work plan**, and the annual budget to the State Librarian for review and approval; and

8. (No change.)

15:22-1.10 Executive director; appointment and duties

(a) The executive director hired by the executive board of the library cooperative shall be [eligible for State certification] **State-certified** as a professional librarian [available] through the licensing authority, Thomas Edison State University, or educational media specialist by the State Department of Education **within 12 months of appointment.**

(b) The duties of the executive director shall include, but not be limited to, the following:

1. (No change.)

2. Establish necessary job titles and/or positions to meet the program, service, and activity needs of the library cooperative;

[2.] **3.** (No change in text.)

[3.] **4.** Assist in developing the [three-year] **three- to five-year** plan for executive board review and council of members' approval;

[4.] **5.** Assist in developing the annual [program and budget] **work plan** for review **and approval** by the executive board [and approval of the council of members of the library cooperative];

[5.] **6.** Negotiate all contracts for executive board approval; [and]

[6.] **7.** Attend meetings of the executive board and of the library cooperative[.]; **and**

8. Provide monthly financial reporting to the executive board and State Librarian.

15:22-1.11 Library cooperative; responsibilities and services

(a) Within one year following establishment and designation as a library cooperative and receipt of an initial appropriation, the library cooperative shall submit for approval by the State Librarian a [three-year] **three- to five-year** plan for library cooperative services and annual [program] **work plan** and operating budget in support of the plan.

(b) The library cooperative shall submit annually for approval by the State Librarian any revisions to its [three-year] **three- to five-year** plan and an annual [program] **work plan** and operating budget in support of the plan.

(c) The goals, objectives, programs, and activities specified in [a three-year] **the three- to five-year** plan for library cooperative services shall provide that:

1.-2. (No change.)

3. All contract services be provided to member libraries, library-related agencies, **local library cooperatives**, and New Jersey residents in accordance with the plan.

(d) In order to provide to every resident of New Jersey full and [equal] **equitable** access to the collective library resources of the State, the State Library shall [assure] **ensure** that the following services are provided:

1.-6. (No change.)

(e) The library cooperative [shall] **may** include the services listed [in (c)] **at (d)** above in its [three-year] **three- to five-year** plan and specify how the services will be provided. The library cooperative may contract with libraries, library-related agencies, local library cooperatives, commercial vendors, or individuals for the provision of any or all of these services.

(f) (No change.)

(g) The [three-year] **three- to five-year** plan for library cooperative services shall be reviewed and evaluated by the executive board on an annual basis and amended, as appropriate, to reflect any change [approved by the council of members of the library cooperative,] and to provide for an annual [program and] operating budget. Any amended [three-year] **three- to five-year** plan and the annual [program] **work plan** and budget shall be submitted to the State Librarian for review and approval.

15:22-1.13 Dissolution of the library cooperative

(a)-(d) (No change.)

(e) The duly established and designated library cooperative shall remain in existence until such time as the State Librarian either revokes its designation as the library cooperative as specified [in] **at** (e)1 below or approves a plan for dissolution of the library cooperative.

1. Revocation of designation as the library cooperative will occur when the appeals and hearing process specified [in] **at** [N.J.A.C. 15:22-1.18](#) has been completed and the library cooperative's [three-year] **three- to five-year** plan, annual revision of the [three-year] **three- to five-year** plan, annual [program] **work plan**, or annual budget are not approved by the State Librarian due to noncompliance with the provisions [of] **at** [N.J.A.C. 15:22-1.11](#).

2. (No change.)

15:22-1.14 Local library cooperatives

Any group of academic, institutional, public, school, or special libraries or library-related agencies, or any combination thereof, may organize as a nonprofit organization pursuant to the New Jersey Nonprofit Corporation Act, [N.J.S.A. 15A:1-1](#) et seq., and apply for designation to the [library cooperative] **State Library** as a local library cooperative for the provision of cooperative or reciprocal library services among themselves on behalf of their collective library patrons. [The] **A** local library cooperative may receive Statewide contracts for services.

15:22-1.15 Statewide library services

- (a) In order to provide to every resident of New Jersey full and [equal] **equitable** access to the collective library resources of the State, the State Library shall [assure] **ensure** that the services listed [in] **at** [N.J.A.C. 15:22-1.11\(d\)](#) are provided. The State Library may contract with libraries, library-related agencies, **local library cooperatives**, or commercial vendors to provide any or all of these services on a Statewide basis.
- (b) Other services also may be provided **on an inter-regional or Statewide basis**.