

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 207, 215, 254, 257, 271, 272, 273, 273-a, 282, 283, and 284.

1. Section 90.12 of the Regulations of the Commissioner of Education shall be amended, to read as follows:

§90.12 State Aid for Library Construction.

(a) Definitions. As used in this section and in Education Law, section 273-a:

(1) . . .

(2) . . .

(3) . . .

(4) *Acquisition* means the purchase of a site for library purposes and/or an existing building suitable for conversion to library purposes.

(5) . . .

(6) . . .

(7) *Broadband library services means providing a high speed internet connection for library users, including but not limited to internal and external connections, at a minimum speed prescribed by the commissioner using such means as wireless, fiber, cable, white space and similar products.*

(b) Application procedures.

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) The library system board, upon request by the Commissioner, shall provide the eligibility criteria for applications designated as projects serving economically

disadvantaged communities pursuant to Education Law §273-a(2)(e), for each recommended application.

(c) . . .

(d) . . .

(e) Costs. Pursuant to Education Law, section 273-a:

(1) Costs eligible for approval shall include:

(i) construction or acquisition [or] of a library building;

(ii) . . .

(iii) renovation or rehabilitation of leased property to be used for library purposes;

(iv) acquisition of vacant land to be used for library purposes;

(v) purchase and installation of initial equipment and furnishing as a project component of subparagraphs (i), (ii) or (iii) of this paragraph;

(vi) purchase, installation and replacement of a library building's broadband services infrastructure, including but not limited to internal and external connections, either as a stand-alone project or as a project component of subparagraphs (i), (ii) or (iii) of this paragraph;

(vii) site preparation and grading as a project component of subparagraphs (i), (ii) [or], (iii) or (iv) of this paragraph;

(viii) replacement of a library building's mechanicals including but not limited to heating, ventilation, air conditioning, cooling, electrical, and plumbing systems;

(ix) replacement of permanent components of a library building including but not limited to windows, doors, roofs, and lighting systems;

(x) purchase and installation of permanent signage (with or without lighting, internal or external), which is used for library purposes;

(xi) purchase and installation of one or more generators for library purposes;

(xii) purchase and installation of assistive listening devices and systems for the deaf and hearing impaired, which shall include but not be limited to, hearing loops, FM systems and infrared systems; and

(xiii) [supervision] project management of the construction, renovation, rehabilitation or broadband library services infrastructure project;

(xiv) architectural and engineering plans for locally approved new or ongoing projects; and

(xv) such other costs as may be approved by the [commissioner] Commissioner.

(2) Costs ineligible for approval shall include, but shall not be limited to:

(i) speculative architectural and engineering plans and feasibility studies;

(ii) . . .

(iii) . . .

(iv) . . .

(v) ongoing service fees for telecommunications and broadband services;

(vi) landscaping; and

(vii) routine maintenance.

(f) . . .

(g) Reports. The following reports shall be made to the commissioner on the forms and by the dates prescribed by the commissioner:

(1) . . .

(2) [Each] Upon request by the Commissioner, a library system board shall report on the anticipated State aid necessary for eligible projects to be completed in its service area.

(3) Upon request by the [commissioner] Commissioner, [each] a library system board shall submit [an annual] a report detailing the status of each project for which an

application was submitted by a member library and not recommended for approval, or was approved but for which no State aid was provided.

(4) Any other reports the Commissioner shall deem necessary to carry out the purpose of this program.

2. Paragraph (7) of subdivision (a) of section 90.18 of the Regulations of the Commissioner of Education shall be amended, to read as follows:

(7) Coordinator of a school library system means a certified school library media specialist with a minimum of three years employment as a school library media specialist and possessing a valid school administrator and supervisor (S.A.S.) certificate [or], a valid school building leader (S.B.L.) certificate or a valid school district leader (S.D.L.) certificate in accordance with Part 80 of this Title, or an equivalent certificate title as determined by the Commissioner.