

Public Notice

Education

Commissioner of Education

Notice of Receipt of Petition for Rulemaking

Programs and Practices to Support Student Achievement

Standards-Based Instruction

N.J.A.C. 6A:13-2.1

Petitioner: Iveth Yelegen, President, New Jersey Association of School Librarians (NJASL).

Take notice that on September 3, 2026, the Department of Education (Department) received a petition for rulemaking from the above petitioner, requesting amendments at N.J.A.C. 6A:13 to require school districts to provide library media services by a certified school library media specialist (SLMS) rather than under the direction of a certified SLMS.

N.J.A.C. 1:30-4.1(b) and 6A:6-4.1(b) require a petition for rulemaking to state the substance or nature of the rulemaking that is requested, the reasons for the request and the petitioner's interest in the request, and references to the authority of the agency to take the requested action.

The petitioner seeks to amend N.J.A.C. 6A:13-2.1(h), which requires all school districts to provide library-media services that are connected to classroom studies in each school building, including access to computers, district-approved instructional software, appropriate books including novels, anthologies, and other reference materials, and supplemental materials that motivate students to read in and out of school and to conduct research. The subsection also requires each school district to provide the library-media services under the direction of a certified SLMS.

The petitioner seeks to replace “under the direction of” with “by” to clarify that school districts must employ certified SLMSs to provide school library media services in every school.

The petitioner states that N.J.A.C. 6A:13-2.1(h) is vague and this allows school districts to make staffing decisions on how school library media services are provided. The petitioner states that some school districts employ one SLMS per school, while other school districts employ only one for the entire school district. The petitioner provided the example of a school district with 25 schools and approximately 14,000 students that has only one SLMS. The petitioner questioned whether students in that school district receive a “thorough and efficient” education in terms of school library media services and the same access to school library media services as students where there is one SLMS in their individual school library.

The petitioner also states that Department-collected data in the New Jersey School Performance Reports in 2016-2017, which is the first year SLMS data were included, show that 1,549 SLMSs were employed Statewide with a SLMS-to-student ratio of 1:911. The petitioner further states that the 2024-2025 School Performance Reports indicate that 1,123 SLMS were employed Statewide with a 1:1245 SLMS-to-student ratio. The petitioner also states that some school districts are creating unrecognized job titles to avoid hiring a certified SLMS and may not be following the requirements at N.J.A.C. 6A:9B-5.5(b) to seek approval of the executive county superintendent prior to using an unrecognized title.

The petitioner provided references to research on the State, national, and international levels that demonstrate the impact that SLMSs have on students’ academic performance.

The petitioner indicates that, pursuant to N.J.S.A. 18A:7F-4.4 and as set forth at N.J.A.C. 6A:8-6.1(c)1ii, SLMSs will be required to develop and co-deliver the instruction related to the proposed information literacy standards currently being considered by the State Board of Education (State Board) at 8.3, Digital Literacy, in the proposed Computer Science, Innovation, and Society and 9.4, Information Literacy, in Career Readiness, Life Literacies and Key Skills within the revised New Jersey Student Learning Standards (NJSLS).

The petitioner also states that the 2026 Educational Adequacy Report includes school library programs and school librarians in the staff funding assumptions for State aid pursuant to the School Funding Reform Act (SFRA).

As the reference to the agency's authority to take the requested action, the petitioner's request references the SFRA; the *Abbott V* and *Abbott X* decisions (153 *N.J.* at 493 and 177 *N.J.* at 593, respectively); N.J.A.C. 6A:32-4.1, Employment of teaching staff; Indicator 14 in Appendices A and B at N.J.A.C. 6A:30, Evaluation of the Performance of School Districts; Articles VIII and IV of the New Jersey Constitution; and as well as the description of the State Board's role provided on the Department's website.

The petitioner's requested amendment is as follows (addition indicated in boldface **thus**; deletion indicated in brackets [thus]):

N.J.A.C. 6A:13-2.1 Standards-based instruction

(a) – (g) (No change.)

(h) All school districts shall provide library-media services that are connected to classroom studies in each school building, including access to computers, district-approved instructional software, appropriate books including novels, anthologies and other reference materials, and supplemental materials that motivate students to read in and out of school and to conduct research. Each school district shall provide these library-media services [under the direction of] **by** a certified school library media specialist.

In accordance with N.J.A.C. 1:30-4.2, the Department of Education shall subsequently mail to the petitioner, and file with the Office of Administrative Law, a notice of action on the petition.