

From: New York's Libraries Information Network <NYLINE@LISTSERV.NYSED.GOV> on behalf of DLD <DLD@NYSED.GOV>

Sent: Tuesday, November 4, 2025 3:53 PM

To: NYLINE@LISTSERV.NYSED.GOV <NYLINE@LISTSERV.NYSED.GOV>

Subject: [NYLINE] Proposed Regulatory Amendment (90.2)

This notification is submitted in accordance with the provisions of section 101-a of the Executive Law.

The Commissioner of Education proposes to amend paragraph (4) of subdivision (b) of section 90.2 of the Regulations of the Commissioner of Education relating to library policies.

A Notice of Proposed Rule Making will be published in the State Register on November 19, 2025. It is anticipated that the proposed amendment will be presented for permanent adoption at the March 26 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the March 26 meeting, the proposed rule will become effective on March 25, 2026.

Communications regarding the proposed action may be submitted to Michael Mastroianni, Office of Cultural Education, 222 Madison Avenue, Albany, NY 12230 (REGCOMMENTS@nysed.gov). Comments on the proposed rule must be received by the State Education Department on or before January 20, 2026.

The text of the proposed rule follows:

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION
Pursuant to sections 207, 215, and 254 of the Education Law

1. Paragraph (4) of subdivision (b) of section 90.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(4) has board-approved written policies for the operation of the library, which shall be reviewed and updated at least once every five years or earlier if required by law[;]. In addition to any other policies required by law, on or before January 1, 2027, such board-approved written policies shall include:

(i) external policies related to:

(a) the selection of library materials and reconsideration of such selection;

(b) public usage of library space and meeting rooms;

(c) codes of conduct; and

(d) confidentiality of library records; and

(ii) internal library policies related to:

(a) personnel policies that ensure consistent staff management and fair employment practices;

(b) disaster preparedness; and

(c) financial control policies that fulfill the legal and fiduciary responsibilities of the governing body and promote fiscal oversight, accountability, and sustainable management.