

# MOHAWK VALLEY LIBRARY SYSTEM

## CR §90.3 (Free Direct Access) Plan

*1. Describe how all individuals residing within the boundaries of the system but outside a member library's chartered service area will receive library services.*

Individuals living within the MVLS chartered service area but outside the chartered service area of any member library receive library services through MVLS member libraries, some of which have contractual (written and unwritten) arrangements for the provision of library services with other municipalities or jurisdictions. Libraries may give preference to local residents for program attendance, borrowing of audio visual materials, onsite computer access or reserves on new materials.

Additional resources are available through the Central Library (Schenectady County Public Library), and system services such as online Catalog and electronic resources, and services to institutional outreach sites.

*2. Describe how the system will assure that those persons living within the system boundaries in an area where a member library chooses to withdraw from the system, or where a chartered and registered library was never a member of the system, will be served by the system.*

Such individuals will be served as specified in #1.

*3. Describe what the system considers "serious inequities and hardships" and the criteria used by the system to make the determination.*

The Mohawk Valley Library System considers several factors that may present serious inequities and hardships to the member libraries:

1. Excess use of a library's collection by those residing in unserved areas and not contracting for library services from an MVLS library, representing 5% of the library's circulation.
2. Excess use of a library's collection by those living outside the library's chartered to serve area but served by another MVLS member library, representing 10% of the library's circulation.
3. Municipalities that refuse to fund a public library or contract with a member library for library services present an economic hardship for neighboring member libraries. Refusal of municipalities to fund or contract with a member library for library services will be documented in writing.
4. Jurisdictions where library chartering or funding initiatives are voted down. These areas impose an economic hardship for neighboring libraries and the taxpayers supporting those facilities.

*4. Describe what constitutes excessive out of chartered service area borrowing in the system.*

1. Excess use of a library's collection by those residing in unserved areas and not contracting for library services through an MVLS library, representing 5% of the library's circulation.
2. Excess use of a library's collection by those living outside the library's chartered to serve area but served by another MVLS member library, representing 10% of the library's circulation.

Such excess use may be documented from library circulation statistics generated by the MVLS/SALS Joint Automation System or through sampling of such statistics in a period of not less than one month.

5. *a) Describe the unserved and underserved populations within the system.*

MVLS is chartered to serve the 282,918 residents of Fulton, Montgomery, Schenectady and Schoharie counties. A total of 42,677 people reside in areas without a chartered public library. Those areas are located in Fulton, Montgomery, and Schoharie counties and are indicated on the state maps at <http://www.nysel.nysed.gov/libdev/libs/pldtools/plsmaps/mvlsfult.jpg>.

Unserved areas:

- Fulton County: county areas exclusive of the Gloversville Enlarged School District, the Northville School District, and the City of Johnstown.
- Schoharie County: southern areas of the county including the towns of Jefferson, Blenheim, Gilbora, Conesville, and Broome, the Schoharie School district excluding the village of Schoharie, two small areas in the Sharon Springs School District that lie outside the Town of Sharon.
- Montgomery County: St Johnsville School District except for the village of St. Johnsville, Town of Root, Town of Minden outside of the Fort Plain School District, Florida and the portion of the Town of Amsterdam outside the City of Amsterdam and that portion in the Fort Hunter chartered service area.

*b) Describe the criteria used by the system to identify libraries having an inadequate level of local income to support the delivery of acceptable library services (underserved). List those libraries so identified.*

MVLS considers an adequate funding level to be local income sufficient to meet Minimum Standards. If a library is meeting minimum standards, or if the Commissioner of Education has granted a waiver from one or more of those standards, library support is deemed adequate.

*c) Describe the actions the system will take to expand the availability of library services to unserved and underserved individuals residing within the boundaries of the system.*

GOAL: MVLS Member Library Boards in Fulton, Montgomery, and Schoharie counties understand local re-chartering options to reduce unserved areas and increase library support.

Activities:

- MVLS staff meets with local boards to define neighboring unserved areas, explains options to the library, and explores options for chartering changes.
- MVLS provides support, assistance, and advice to libraries engaged in rechartering efforts.
- MVLS staff works with representatives of Fulton County libraries to promote library awareness and plan ways of expanding services throughout the county.

GOAL: Chartered to serve areas in the MVLS reflect actual geopolitical boundaries, local support and usage patterns.

Activities:

- Fort Hunter chartered service area is re-defined to clarify library boundaries.
- MVLS staff works with libraries to explore rechartering initiatives by enlarging service areas where library support is already coming from school districts, or towns, but the library charter reflects only a portion of those areas, specifically in Schoharie, St. Johnsville, Fort Plain, and Amsterdam.

GOAL: The Mohawk Valley Library System supports the Regents recommendation that all New Yorkers be served by a public library and assists community groups in establishing new public libraries in areas without a chartered library.

Activities:

- Maintain contacts with reading station and volunteer services in Broadalbin and Mayfield to encourage growth into chartered public libraries.
- Work with community leaders in areas unserved by a library to promote library services and develop new libraries.

*d) Provide a timetable for such activities.*

Activities with Fulton County libraries began in 2006 with the establishment of a planning committee of library directors, trustees and the MVLS director and are ongoing. Work with member library boards of trustees is ongoing. Fort Hunter service area change will be completed in 2007. Work with specific boards in Montgomery and Schoharie counties will begin in 2008 and be ongoing. Working with communities to establish public libraries is ongoing.

*e) Identify who will be responsible for carrying out these actions.*

Leadership on these activities will come from the MVLS staff working in conjunction with library directors and trustees. MVLS staff will also provide education, support and information to community groups seeking to establish new libraries in areas where there is no chartered to serve library. Educational efforts and local trustee training is available to inform trustees of library governance structures and opportunities through MVLS. Viable local initiatives to establish new libraries will be assisted and advised by MVLS staff. MVLS staff will also consult with the Division of Library Development on specific issues as they arise in our work with member libraries.

6. Describe the conditions under which modifications to the free direct access plan can be made:

*a) Without prior approval of the Commissioner of Education*

Libraries may give preference to local residents for program attendance, onsite computer access and equipment, borrowing of new (less than 1 year old) materials, audio visual materials, or reserves on new materials per #1 above.

This plan constitutes the only approval required for libraries documenting the serious hardships listed above (#3) to take the following actions:

- Not supplying services to jurisdictions with a population of over 10,000 that do not contract for library services or have their own library,
- Restrict loans of the following materials purchased with **local funds**:
  - Audio Visual materials
  - Audio Visual Equipment
  - Printed materials less than one year from the acquisition date
  - Restrictions upon attendance at library programs supported solely with local funds

A library seeking such action must present a written request to the Mohawk Valley Library System Board of Trustees. The Board will respond to the request and poll member libraries for supporting the options presented by

the library within 30 days of receipt of the request. The request must be approved by a majority of MVLS libraries (currently 8) before implementation of such action occurs. Member libraries must send minutes of the board meeting indicating board action on the matter to the MVLS Director.

*b) With prior approval of the Commissioner of Education.*

A library may request a waiver for restrictions beyond those mentioned in this Plan if a majority of the other member libraries agree to support such a waiver. The library should submit their request in writing to the MVLS Board of Trustees documenting the serious inequities and hardships affecting the resident borrowers of the requesting library and describing the proposed modifications to unrestricted direct access to be implemented.

The System Board of Trustees will poll MVLS libraries for approval of the requested modifications to free direct access by the requesting member library within 30 days of receipt. Upon approval of a majority of member libraries, the MVLS Board of Trustees will submit the request to the Commissioner of Education in writing in accord with state guidelines for such requests.

*7. Describe how the system will assure that member libraries are complying with the system free direct access plan approved by a majority of member libraries.*

The plan will be distributed to all member libraries. Libraries will be surveyed annually to assure compliance with regulations. Issues related to direct access on both local and system levels will be discussed at Directors' Council meetings on an ongoing basis.

Approved by the Mohawk Valley Library System Board of Trustees: September 21, 2006

Amended: March 20, 2007  
September 17, 2009  
October 22, 2009