

To: Eric Trahan, Executive Director, Mohawk Valley Library System; Mary Van Patten, President, Mohawk Valley Library System Board of Trustees; Charity Thorne, Executive Director, Schenectady County Public Library; Madelyn Thorne, President, Schenectady County Public Library Board of Trustees

From: Lauren Moore, Assistant Commissioner for Libraries, New York State Education Department

Re: Schenectady County Public Library and Mohawk Valley Library System

The NYS Education Department appreciates that library governance may sometimes be the subject of differing but reasonable opinions. Nevertheless, I must write to express my concerns that trustees and directors receiving this letter may have lost sight of their fiduciary duties and their primary obligation to ensure that all residents have access to lifelong learning opportunities through their public library and public library system. Despite the State Library's requests, we have not been informed of any meaningful conversations between the Schenectady County Library and the Mohawk Valley Library System to discuss the future of this cooperative relationship or the implications of changes on residents or libraries of this region.

Thus, in addition to my serious concerns, I offer the following advice and suggestions:

1. The process for joining a library system is outlined in the law. See [Education Law Section 255\(2\)\(i\)](#) (requiring approval of the member library). The library and system charters and plans of service also require approval (see [Education Law §272\[1\]\[c\]](#)). As such, withdrawing from a library system should mirror the same process and the potential withdrawal of the Schenectady County Public Library from the Mohawk Valley Library System will require the action of the Schenectady County Public Library's Board of Trustees, the Mohawk Valley Library System's Board of Trustees, and the approval of the Commissioner of Education. Subsequently, amendments to the systems charter would need to be approved by the Board of Regents, pursuant to a petition for a charter amendment or as otherwise authorized under [Education Law §219\(1\)](#), and the Commissioner, respectively and plans of service would need to be approved by the State Library.

If parties cannot reach an agreement and submit the necessary applications, then the status quo governs and nothing changes. The State Library urges each of you engage in meaningful discussion with all concerned and work together to reach a mutually agreed upon resolution that ensures all community members have access to a library and all libraries have access to a functional library system.

2. If a mutually acceptable solutions cannot be agreed upon, you should consult with your legal counsel to determine if petitioning the Board of Regents to alter one or more library system charters is appropriate. Indeed, the State Education Department has the authority to forcibly make changes to the charters of libraries or library systems, or to remove trustees under certain conditions, but uses this authority sparingly when necessary to

address failures of local boards. Forced charter actions could include dissolution, consolidation, or changes in service areas of libraries or library systems, etc.

In short, it is the responsibility of the Mohawk Valley Library System and the Schenectady County Public Library to create a mutually agreed upon solution to this impasse. This solution should be forward-thinking, fully considered, and should prioritize the needs of communities and library users.