

RE: Letter of Tuesday, June 11, 2024
Two important questions
Time-sensitive

To the Division:

As you know, PULISDO operates to address issues of mutual interest to cooperative library systems.

To that end, PULISDO has reviewed the Division's letter to the Mohawk Valley Library System (and others) addressing the recent decision of the Schenectady Public Library to leave the MVLS ILS (the "Letter").

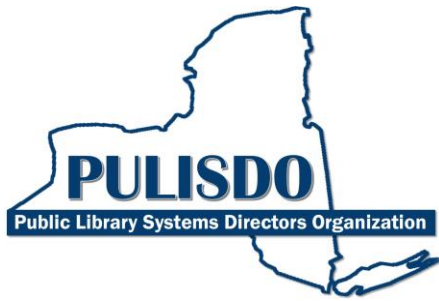
PULISDO strongly agrees with the Division that the choice of a member library to participate in the ILS of a cooperative library system is only constrained by the contracts and policies of that particular system, as informed by whatever process of collaborative decision-making is used by that system. This approach helps systems to be responsive to the specific needs of their participating libraries.

PULISDO also strongly agrees with the language in the final paragraph of the Letter, urging ongoing cooperation in a collegial manner, which is the appropriate demeanor for the collaborative decision-making upon which cooperative library systems depend.

Along with these strong agreements, PULISDO does have two important points of further clarification it would like the Division to address as soon as possible.

First, although the Letter states there is no "explicit prohibition" on a participating library "leaving", the Letter does not directly address the still-hypothetical--but strategically important to any system--issue of how a library would cease to be a "participant" in a cooperative system, per Education Law 255.

Therefore, as it is a critical question for all cooperative systems, PULISDO requests an answer to this question: **Other than charter revision, is there another mechanism for a public library to no longer be a "participant" (as that term is used by Education Law 255) in a cooperative library system?**



This question is relevant to PULISDO, as cooperative systems must structure bylaws, budgets, contracts and policies to address the answer. In requesting this guidance, PULISDO asks the Division to consider that because public libraries may only fully participate in a cooperative system by either being 1) an original participant on the charter or 2) being added via a charter revision, it appears that the only mechanism for a participating library to be *removed* from a system charter as a participant is also charter revision.

Second, PULISDO notes that per governing regulations, a participant in a cooperative library system must allow "direct access" at its physical site to all system participant residents for the same terms offered to residents in that library's area of service, consistent with that system's Direct Access Plan. As this is an obligation of all systems, PULISDO requests further guidance on this question: **Must a participating library who has been removed from an ILS still offer "direct access" to residents of the system?** This question is relevant to PULISDO as it considers how the answer to the first question would impact direct access and the rights of system library users.

Thank you to the Division for consideration of and anticipated reply to these questions. While we hope the answers are as straightforward as we would have assumed this time last year, we now believe it is important to have them confirmed.

To that end, kindly reply to us by Tuesday, June 25, 2024, so as a body, we may consider the implications of the Division's reply.

Thank you,

Grace Riario
PULISDO Chair