

Mohawk Valley Library System

Free Direct Access Plan 2022 (2024 Revisions)

The Mohawk Valley Library System (MVLS) educates, empowers and supports public libraries in Fulton, Montgomery, Schenectady and Schoharie Counties, helping libraries enrich their communities. MVLS and the fourteen independent public libraries that are members of the system are committed to the sharing of library resources and services. Every MVLS library provides onsite access to library services to all residents of the MVLS counties regardless of whether the user resides in the individual library's official service area. We acknowledge that our libraries can provide improved service when resources are shared and we recognize that many library users can and do use multiple libraries.

In addition, because of the longstanding consortial relationship between MVLS and the Southern Adirondack Library System (SALS), many library resources are shared among the public libraries in the eight counties of the two public library systems, further enhancing the library resources that are available to serve the needs of the public library users in all eight counties. Even though there is no mandate for this out-of-system resource sharing, MVLS and SALS libraries have embraced the concept that service for all is improved when most library resources are available to users from any library, either onsite or through the consortium request system.

At the same time, providing library services costs money, money that is raised primarily through local taxation by communities that support local libraries. MVLS and the member libraries recognize that it is possible for localities to take advantage of the library services that are funded by their neighbors and provided by public libraries in other communities. This MVLS CR 90.3 Free Direct Access Plan is designed to describe the services that MVLS and the member libraries provide to MVLS residents through onsite access and interlibrary requests, to illustrate the advantages of open access, and to outline remedies for genuine funding inequities. The goal of these activities is for all communities to fund, value and use local public library services.

The numbered sections below correspond to the seven New York State Education Department requirements for public library system free direct access plans found at:

www.nysl.nysed.gov/libdev/fda/outline.htm.

1. *Describe how library services are available to all residents of the MVLS service area.* All MVLS member libraries provide on-site access to library resources to any resident of the MVLS service area. Borrowing privileges and computer use are also provided, but these services may require the user to have a valid library card from a MVLS member library.

~~Many~~ MVLS member libraries, **including the central library**, will provide a library card to any resident of the MVLS service area. ~~The MVLS Central Library, the Schenectady County Public Library (SCPL), does provide a library card to any resident of the MVLS~~

~~service area~~. It should be noted that in most cases any individual user may have only one borrower's card issued within the MVLS/SALS Joint Automation Consortium.

The following conditions could limit the availability of library resources to a resident of the MVLS service area at a MVLS member library:

- a. Failure to present a valid library card. Various issues can cause library cards to become invalid. Library users are responsible for correcting issues that cause cards to become invalid.
 - b. Libraries may restrict users who blatantly disregard library policies.
 - c. The implementation of the remedies to serious inequities and hardships as covered in sections 5 and 6 of this plan.
2. *Describe how library services are available to residents of areas within the MVLS service area that are served by chartered public libraries that are not members of MVLS.* The Mohawk Valley Library System and the constituent member libraries are committed to serving all residents of the MVLS service area, including areas served by chartered public libraries that are not members of MVLS.

There are three small sections of the MVLS service area that are in the chartered service area of libraries that are not members of MVLS. A section of the Fulton County Town of Perth is in the chartered service area of the Galway Public Library, a member of the Southern Adirondack Library System. This library is a school district public library serving the Galway School District. Also, there is a section of the Montgomery County Town of Minden that is in the chartered service area of the Jordanville Public Library, a member of the MidYork Library System. This library is a school district public library serving the Owen D. Young school district. Finally, sections of the Schoharie County towns of Jefferson and Gilboa are served by the Stamford Free Library, a member of the Four County Library System that serves the Stamford School District.

Individuals that live in these areas, and in any other areas that may be served by chartered public libraries that are not members of MVLS, receive the same library services that are specified above in section 1.

3. *Describe how MVLS determines whether a library faces serious inequities and hardships in the provision of library services to patrons from outside their service area.* Providing service to the residents described in sections 1 and 2 above does not in itself constitute any inequity or hardship. Inequities and hardships exist only where a library experiences such use in a way that is significantly above and beyond the norm, and where the library has made real attempts to correct the situation through documented funding requests to the specific offending municipalities.

Member libraries may claim serious inequities and hardships when either of the following are true:

- a. An unserved municipality has refused to contract for the library services used by its residents over a period of at least 2 years where written documentation verifies that repeated requests for funding for library services have been denied.
- b. An unserved municipality has refused to charter or provide funding for library services where chartering or funding ballot initiatives have been voted down in two successive years.

In addition to meeting the requirements in subsection a. or b. above, a member library claiming serious inequities and hardships must also demonstrate, through integrated library system statistics, that it routinely exceeds the excessive out of service area borrowing standards identified in #4 below.

4. *Describe what constitutes excessive out of chartered service area borrowing in the system.* All MVLS member libraries serve many users who do not reside in their individual service areas. All libraries acknowledge that in a highly mobile society many people use multiple libraries; and that, in addition to all libraries serving individuals who do not live in their individual service areas, all libraries have residents of their own individual service areas who use neighboring libraries. Therefore, any measure of excessive out of service area borrowing must reference MVLS system norms for out of local service area borrowing.

MVLS libraries will be considered to have excessive out of chartered service area borrowing if borrowing by out of service area patrons exceeds the MVLS average for out of service area borrowing by more than 50%. In other words, excessive out of service area borrowing exists when a library's rate is more than 1.5 times the MVLS average. For the purpose of this calculation, this average out of service area borrowing will be for the 13 member libraries exclusive of ~~the central~~ **our one county library**. In 2019 that average was 27.70%, making the excessive borrowing threshold 41.55%. These figures will be computed each year.

Additionally, if any library has more than 10% of its circulation from any geographic region (town, city or school district) that does not provide for library service for its residents, that will constitute excessive out of area circulation.

For the purposes of these calculations, a library's service area will consist of the chartered service area plus any area that provides at least 10% of the library's total local public funding.

5. *Describe the unserved and underserved MVLS residents and the actions taken to expand the availability of library service in MVLS.*
 - a. *Describe the Unserved populations within MVLS.* MVLS serves the 293,226 residents of Fulton, Montgomery, Schenectady and Schoharie Counties. Of that system service population, 89.3%, or 261,952, live within the chartered service area of a member library. An additional 10,644 residents receive access to

library service through their municipality contracting for library service with an MVLS or non-MVLS library, or because they reside in the chartered service area of a non-MVLS library as described in #2 above. In total, all but approximately 20,600, or 7%, of MVLS residents have access to library service at a local public library.

All of Schenectady County is served, and the few small, in-between areas of Montgomery County that are unserved nearly all contract for service. Fulton County has several unserved areas in both the eastern and western parts of the county, encompassing the Broadalbin-Perth (BP), Mayfield, Wheelerville, St. Johnsville-Oppenheim-Ephratah (SJOE) and Dolgeville school districts. Of these, the SJOE district provides funding to the Margaret Reaney library, and the Dolgeville School District funds the Dolgeville Manheim Public Library. This leaves the Wheelerville, BP and Mayfield school districts as the regions of Fulton County without local library service. Broadalbin does have a reading center. In Schoharie County, the Gilboa-Conesville and Jefferson School Districts are unserved. More information on library service areas can be found on the Division of Library Development website at:

www.nysl.nysed.gov/libdev/libs/publibs/3mv.htm

- b. *Describe the Underserved Populations within MVLS.* MVLS libraries that meet the state minimum standards for library service are considered to be providing an adequate level of service. At present, this includes all MVLS libraries.
- c. *Describe the actions that MVLS will take to expand the availability of library service in the system.*
 - i. MVLS has and will continue to work with all member libraries to explore increases in chartered and contracted service areas. At present, all but 2 MVLS libraries have had successful budget votes and all but one have put multiple propositions before the voters.
 - ii. MVLS will continue to work with the Broadalbin reading center to encourage them to expand their operations and become a chartered library. Many meetings and consultations have taken place in the past 5 years. This activity will continue.
 - iii. MVLS periodically contacts the school districts in southern Schoharie County, and will continue to do so.
- d. *Provide a timetable for such activities.* The activities outlined in i. and ii. above are ongoing, and have been system goals for many years.
- 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 approval of the Commissioner of Education.* MVLS member libraries that document the serious inequities and hardships as described in #3 above AND have documented excessive out of chartered service area borrowing as described in #4 above may petition MVLS and the member libraries for approval for Free Direct Access modifications that may include any of the following:
 - i. Not supplying services to residents of jurisdictions of over 10,000 that do not provide library services through a charter or contract
 - ii. Restricting loans to those outside the local service area for the following materials if purchased exclusively with local funds
 - 1. Audio Visual materials
 - 2. Printed materials less than one year from the acquisition date
 - iii. Restrictions on library program attendance for those outside the local service area for programs provided exclusively with local funds.

A library seeking such action must present a written request to the Mohawk Valley Library System Board of Trustees. The MVLS Board will poll the member library boards for approval of the proposed modification. The request must be approved by a majority of MVLS library boards before implementation of such action occurs. Libraries must send minutes from the board meetings 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.

Definitions

Direct Access means the ability of an individual, who resides within the boundaries of a public library system and who has a valid borrower's card issued by the system or any member library in the system, to borrow materials for home use directly from the premises of any library that is a member of the public library system on the same basis as that specified for cardholders in each individual library.

Chartered service area means the geographic area served by a library as stated in charter documents as approved by the Board of Regents and on file with the department. For purposes of this section, the phrase "and its environs" or its equivalent, as contained in any charter document will not be recognized by the commissioner as a valid part of the library's chartered service area. For purposes of this section, the commissioner will not recognize areas served by the library under contract as a valid part of a library's chartered service area.

Resident borrower means an individual who resides within the boundaries of the chartered service area of a public or association or Indian library as defined in section 253 of the Education Law and who is a library cardholder at that library.

Non-resident borrower means an individual who resides outside the boundaries of the chartered service area of a public or association or Indian library as defined in section 253 of the Education Law and who is a library cardholder at that library or at another member library of the public library system who is a system cardholder.

Library resources mean the print and non-print materials owned by the library and any other services provided by the library to the resident borrowers of the library's chartered service area.

Local income means funds supplied by local taxing agencies which may be municipalities, school districts or special districts. These funds may be from the library's sponsoring municipality or from a nonsponsoring municipality in payment for library services.

On-site use means the ability of an individual to use library resources on the premises of a library.

Serious inequities and hardships mean those conditions which adversely affect resident borrowers or member libraries. Such conditions are defined in accordance with the free direct access provisions contained in each system's approved plan of service and may include, but limited to, a definition of what constitutes excessive borrowing of a library's resources by non-resident borrowers.

Unserved means those individuals residing in geographic areas that are within the boundaries of a public library system but outside the boundaries of chartered service area of a library which is a member of that system.

Underserved means those individuals residing in geographic areas that are within the chartered service area of a member library and which the public library system had identified as having an inadequate level of local income to support the delivery of acceptable library services.

Approved by MVLS Board of Trustees, September 16, 2021,

Amended November 21, 2024