

I. Commissioner's Regulations 90.3 (a) Definitions

Public Library System means a library established by one or more counties, a group of libraries serving an area including one or more counties in whole or in part, a library of a city containing one or more counties, or a cooperative library system established pursuant to the provisions of section 255 of the Education Law.

Approved plan of service means a plan of library service submitted by a public library system board of trustees in accordance with section 272 of the Education Law that has been approved by the Commissioner pursuant to the provisions of this section. The plan of service defines the mutual commitments, responsibilities and obligations of the public library system and its members in meeting the service needs of the area served and statewide library service goals.

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 non-sponsoring 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 of 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.

Unservd 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.

II. STLS Free Direct Access Plan

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

Member libraries will provide free on-site use of library resources, including the use of computers and access to the Internet, to all individuals residing within the boundaries of the public library system service area. Free on-site use of the resources of the system will also be available to all individuals residing within the boundaries of the system. No individual shall be excluded from on-site use of the library resources of the system or any of its member libraries because of age, cultural, economic or civic status.

Preference for such service may be given to local residents.

As required by Commissioner's Regulation [§90.3\(a\) through \(d\)\(4\)](#) neither the system nor member libraries will charge individuals for library cards.

Individuals residing within the boundaries of the system but outside a member public library's chartered service area will receive service and borrow materials by requesting a library card from a local library.

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.

All chartered and registered libraries in the Southern Tier Library System region are members of the System. If a member library chooses to withdraw from the System, neighboring libraries will issue cards and provide service to residents living in the service area of the withdrawing library.

STLS provides interlibrary loan service to residents; that service will continue to be provided for persons in an area where a library chooses to withdraw from the library system, or ceases to fund library service.

Describe what the system considers “serious inequities and hardships” and the criteria used by the system to make the determination.

“Serious inequities and hardships” occur when jurisdictions refuse to support, or provide sufficient support for a library. Services to local taxpayers are reduced and materials are unavailable because out-of-chartered service area residents are using those services and materials. Economic impact on an STLS member library, resulting in serious inequities and hardships results when

1. Non-residents who actively borrow materials constitute over 25% of the library’s borrowers.
2. Direct loans to nonresident borrowers constitute over 25% of a library’s circulation.

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

“Excessive borrowing” in the Southern Tier Library System occurs when nonresident borrowers account for more than 25% of a library’s circulation.

Describe the unserved and the underserved population within the System.

Unserved populations within the STLS region (populations outside of a chartered service area), are defined in color-coded maps developed by the Division of Library Development and posted online. Taxpayers in a majority of school districts in the STLS region have approved tax support for library service; therefore there is an implied contract for library service in the portions of the school districts which extend beyond library service areas.

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

The majority of chartered libraries in the System have a public funding referendum that aligns with school district geographic borders. Only 4 of 39 chartered libraries do not have a funding referendum. All 4 of these libraries receive public funds through their municipalities.

The System will use the criteria of Total Referendum Funding per Capita of School District or Town Resident (criteria is dependent upon local funding source) to identify libraries having an inadequate level of local income to support the delivery of acceptable library services.

The System has set the level of adequate funding at \$15.00 per School District or Town Resident based on performance benchmarks within the System that align with New York State Minimum Standards and public library best practices.

The following libraries have been identified as having inadequate levels of local income.

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| Prattsburg Free Library | Andover Free Library |
| Wide Awake Club Library | Angelica Free Library |
| Jasper Free Library | Bolivar Free Library |
| Dutton S Peterson Memorial Library | Alfred Box of Books Library |
| Wimodaughasian Free Library | Colonial Library |
| Scio Memorial Library | Rushford Free Library |
| Savona Free Library | 20th Century Club Library |
| Belmont Free Library | E J Cottrell Memorial Library |
| | Addison Public Library |
| | Genesee Library |

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.

The Southern Tier Library System will be available upon request to work with Library boards of autonomous member libraries to:

1. Develop recommendations for funding options and/or charter changes for member libraries.
2. Meet with town and member library boards of trustees to discuss the following funding options and charter changes:
 - a) contract with neighboring municipalities to provide library service, or

- b) expand library service areas and request additional funds from the expanded area, or
 - c) request funding increases from local funding sources, or
 - d) establish voter referenda for library funding, or
 - e) request larger funding increases through voter referenda
3. Provide training workshops on funding and charter changes.
 4. Provide a timetable for such actions.
Ongoing 2017 – 2021.
 5. Identify who will be responsible for carrying out these actions.
The library system’s Division of Library Sustainability and System Resources.

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

A. With the approval of the majority of member libraries and without prior approval of the Commissioner of Education

If a jurisdiction* with a population of over 10,000 ceases providing tax support for a library, and does not contract for service with a neighboring library, modification to this plan can be made with the approval of the majority of STLS member libraries.

Except for the central library, member libraries may refuse to loan non-print materials and equipment and printed materials, less than one year from the acquisition date, purchased with local funds. Libraries must certify to STLS that they are able to identify which materials and services were purchased with various funding sources in order to determine which materials may be restricted.

Member libraries may also restrict attendance at library programs if such programs are supported entirely with local funds.

However, under no circumstances will member libraries charge individuals, who reside within STLS, for library cards or deny on-site use as defined in Section 1 of this plan.

(*A jurisdiction may be comprised of multiple municipalities which have formerly constituted one library service area.)

In addition, in cases where a member library, including the Central Library, can document “serious inequity or hardship” as described in items 3 and 4 of this document, the library can submit a request to the STLS Board of Trustees to place restrictions, consistent with Commissioner’s Regulations 90.3, upon the use of library resources and use of services by residents outside the library’s chartered service area. The STLS Board of Trustees will conduct a

vote of member libraries; if a majority approve, the library may place the restrictions as requested.

These restrictions are limited to:

- non-print materials
- equipment
- printed materials, less than one year old,

The above materials must have been purchased with local funds.

- attendance at library programs supported entirely with local funds. If attendance at programs must be limited, local residents may be given first access to them.

With the prior approval of the Commissioner of Education

Certain additional modifications to this plan may be made for individual libraries with the approval of the majority of member libraries and with prior approval from the Commissioner of Education. Such requests will be submitted in writing to the System board of trustees. The System board will not unnecessarily delay the submission of a member request for additional restrictions once the member libraries have approved the request to go forward. They will include, but not be limited to, the requirements below:

1. a.) Documentation of the serious inequities and hardships affecting the resident borrowers of the member library making the request. (For example, if an unserved community defeats a library proposition or terminates a contract for library services, the system may request hardship waiver from the Commissioner on behalf of the affected library.)

b.) The proposed modifications that will be implemented.

No modifications will be considered if they include charging for library services.

2. A description of the anticipated impact on resident and non-resident resident borrowers after modifications are approved and implemented. Restrictions apply only for member libraries. The System may not impose restrictions. The System will continue to serve those populations from areas where approved member library restrictions have been imposed.
3. A time frame for the beginning and end of such a modification. Modifications for restrictions will be approved for a certain period of time. Renewals must be made on a timely basis.
4. A recommendation from the STLS Executive Director regarding steps to be taken to remedy the underlying inequity with a proposed timetable for action.

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 System will require member libraries to certify annually that their library is in compliance with this Free Direct Access plan.

Describe how the System obtained member library input to the plan for free direct access.

The plan was discussed at a Directors Advisory Council meeting on January 27, 2016. Shortly following a draft copy of the proposed new plan, including a link to the current plan was sent to library directors and board presidents for comments. In response to questions, clarifying language was added and the draft plan was further revised by the Directors Advisory Council.

Addendum:

Towns with populations that are unserved and don't provide tax support for library service are:

Allegany County

Birdsall Town—the portion of the town in the Arkport School District

Schuyler County

Dix Town—the portion of the town not in the Watkins Glen School District

Orange Town—portion of the town in the Bradford and Corning Painted Post School Districts

Tyrone Town—portion of the town not in Dundee or Watkins Glen School Districts

Steuben County

Bradford Town—no support for library service

Cameron Town—portion of the town in the Jasper-Troupsburg School District

Cohocton—portion of the town in the Avoca School District

Dansville—portion of the town in the Arkport School District

Rathbone Town—portion of the town not in the Addison School District

Woodhull Town—portion of the town not in the Addison School District

Yates County

Italy Town—portion of the town in the Naples and Prattsburg School Districts

Adopted by the Southern Tier Library System Board of Trustees: 10/18/2016