



**Westchester Library System
Free Direct Access Plan
To Fulfill Commissioner's Regulation
90.3(a) through (d) (4)**

1. *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.*

All individuals residing within the boundaries of the Westchester Library System receive library services because (a) they live in a community that directly supports library service; or (b) they live in a community that contracts for library service in a nearby community (within a radius of two miles¹), for its residents that directly support library service². For any contract relationship, the reimbursement rate should be determined by and be equivalent to the countywide average for the Total Local Library Support Appropriated Per Capita.

Also available to individuals residing within the boundaries of the system but outside a member library's chartered service area is:

- On-site use to any Westchester County resident;
 - State-funded Central Library Services provided by the Mount Vernon Public Library;
 - Services through the WLS website and online catalog which do not require a system library card.
2. *Describe (a) 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 (b) where a chartered and registered library was never a member of the system, will be served by the system.*

All registered and chartered public libraries in Westchester County are members of WLS.

¹ Two Mile radius is defined as: from contract library to border of contracting community.

² With the contract, the citizens of the contracting community have all the rights and privileges of the citizens contractor library's community.

In the event a library withdraws from WLS, residents of the affected area will continue to be entitled to on-site access as defined in CR 90.3 (a) (8) and will be offered services at the discretion of each member library's board of trustees consistent with the requirements of Commissioner's Regulation 90.3. The System will work to encourage a neighboring library to provide library cards for those residents as if they lived in an unserved area- with the following limitations:

- Member libraries may give preference to the residents of their chartered service area for attendance at library programs.
- Member libraries may give preference to the residents of their chartered service area for the use of computer and Internet resources

Residents of such areas may continue to borrow circulating materials purchased with state or federal funds from the collection of the WLS Central Library.

The System will also assist in rechartering that area for a member library.

(b) Not Applicable. There is no chartered library in Westchester County that has never been a member of the Westchester Library System.

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

In addition to excessive borrowing as described in #4 below, there are additional factors which contribute to the inequitable overuse of a library by cardholders of other libraries and considered by this System to be serious inequities and hardships. Those factors, which may be grounds for the request of a hardship waiver by the Commissioner include, but are not limited to the following:

- A significant difference/shift in hours of operation, or any decrease that causes library hours to fall below the state-mandated minimum hours of operation;
- The failure of a nearby library to adequately serve its local users (i.e. lack of facilities such as parking, ongoing construction or chronic budgetary constraints);
- The defeat of a proposition in an untaxed/unserved area to establish a library pursuant to Section 255 of the Education Law, or other pertinent legislative act, to establish or maintain a library;
- The defeat of a proposition in an untaxed/unserved area to contract for library services, with a registered public library in a contiguous municipality, in accordance with Section 356 of the Education Law.
- When an unserved community has a population over 10,000 and has no equitable contract for library services

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

Excessive out of service area borrowing is defined as when 14% of the net difference³ of an onsite library's circulation is from people who are non-residents of the member library's service area.

5. *Unserved and Underserved Populations*

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

The communities of the Village of Elmsford, portions of the Town of Mamaroneck and the Town of Cortlandt (Lakeland School District) are currently unserved areas in Westchester County. Each of these communities is currently being provided with library services via contract with a registered library in an adjacent or nearby community. Elmsford is served by the Ardsley Public Library, the Town of Mamaroneck is served by the Larchmont Public Library and the Town of Cortlandt holds contracts for service with The Field Library of Peekskill, Hendrick Hudson Free Library in Montrose, The John C. Hart Memorial Library in Yorktown and the Croton Free Library. In addition, Fire Protection District #1 in the Town of Bedford remains an unserved area. However, residents of that unserved area are provided service through the Bedford Hills Free Library.

b. *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 criteria used are compliance with the minimum standards contained in New York State Education Law and New York State Commissioner's Regulations 90.3 as reported by member libraries on their annual report to the state.

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.*

For the unserved communities, please see #5a. In addition, WLS will always provide outreach services to encourage and promote library usage to populations that do not typically use public libraries. WLS will also provide in-service training to develop skills of library staff and trustees who are responsible for soliciting annual funding from municipalities to provide support for the underserved populations.

In addition, WLS will take a proactive approach to increasing per capita funding to a sufficient level including trustee training sessions which will focus on advocacy techniques to gain increasing funding for their library; also, libraries which fall significantly below the countywide average per capita support will be a focus for WLS for information and assistance in planning for improved/increased funding levels so that libraries throughout Westchester are better able to serve unserved and underserved populations..

d. *Provide a timetable for such action:* Ongoing

³ Net Difference is the percentage of circulation based on items checked out at the Circulation Desk by non-residents of the member library's service area. The circulation calculation does NOT include "intransit" items.

- e. Identify who will be responsible for carrying out these actions. WLS and member libraries
6. Describe the conditions under which modifications to the free direct access plan can be made: (a) without the approval of the Commissioner; (b) with the prior approval of the Commissioner.
- a. Libraries that experience excessive out-of-chartered service area borrowing as defined in Section 4 above may, upon appropriate public notice and without further approval from the Westchester Library System or the Commissioner of Education, may
- (1) Place restrictions on the loan of library resources, said restrictions to be limited to non-print materials and equipment, and print materials less than one year from the acquisition date and purchased with local funds; and,
 - (2) Place restrictions on attendance at library programs *due to lack of space or staffing to accommodate non-residents*, provided such programs are supported entirely by local funds;
 - (3) Place restrictions on new or experimental collections;
 - (4) Place restrictions due to the inability of neighboring libraries to provide reciprocity for borrowing similar high demand materials;
- b. Further proposed restrictions to library service or access must be approved by a simple majority of member libraries and by the Westchester Library System Board of Trustees before transmission to the Commissioner of Education for approval. The request for restrictions must be accompanied by the following, in a form acceptable to the Division of Library Development:
- Documentation of the serious inequities and hardships affecting the resident borrowers of the member library making the request;
 - A clear description of the proposed restrictions and modifications to this direct access plan being requested provided such modifications do not include charging for library services;
 - Description of the anticipated impact on resident and non-resident borrowers after modification are approved and implemented;
 - Provision of a time frame for the beginning and end of such restrictions and modifications to this direct access plan.
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.

WLS and its member libraries are obligated to comply with this Plan. The System's Plan of Service, of which this plan for direct access is a part, is a contract between the State Education Department and the Westchester Library System. As a condition of

System membership the member libraries have agreed to comply with all Regulations of the Commissioner of Education.

8. *Describe how the system obtained member library input to the plan for free direct access.*

A draft of the Plan was submitted by WLS to the Public Library Directors Association and the WLS Board of Trustees. The WLS Board of Trustees approved the draft plan to be submitted to PLDA on June 19, 2007. Once reviewed and revised by the Executive Board on July 12, 2007, the Plan was submitted to the General Association membership for review on July 19, 2007, and approved on September 20, 2007, the Plan was then submitted to the Boards of the 38 member libraries. Once approved by a simple majority of the 38 libraries and the WLS Board of Trustees, the Plan was submitted to Division of Library Development, ultimately for approval by the Commissioner of Education.

Revised and submitted for Approval by the Public Library Directors Association of Westchester County, 07/19/07; approved by the General Membership of PLDA on 09/20/07; approved by the Westchester Library System Board of Trustees, and WLS Director, 08/21/07. Approved by a majority of the Boards of the Member Libraries, 11/01/07.