



UPPER HUDSON LIBRARY SYSTEM

Together. For Better Libraries.

UPPER HUDSON LIBRARY SYSTEM Free Direct Access Plan (90.3)

INTRODUCTION

Upper Hudson Library System (UHLS) serves the counties of Albany and Rensselaer. It has a service population of 446,626 (2010 census) in a geographic area of 1,178 square miles. Every member library of UHLS makes library resources available to the residents of the two counties. These resources are available via remote access and through on-site use as governed by this Free Direct Access Plan created in accordance with the New York State Commissioner of Education regulation 90.3.

CR 90.3 (a) DEFINITIONS

Direct Access is defined as 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 is defined as the geographic area served by a library as stated in charter documents approved by the Board of Regents and on file with the department. Please note that the phrase "and its environs" or 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 or agreement as a valid part of a library's chartered service area.

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

Non-resident borrower is defined as an individual who resides outside the boundaries of the chartered service area of a public 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 or who is a system cardholder.

Library resources are defined as 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.

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

Serious inequities and hardships are defined as those conditions which adversely affect resident borrowers of member libraries, such as when circulation of library materials to non-resident users is excessive and significantly deprives local residents of the opportunity to borrow library materials.

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

Underserved is defined as 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.

THE UHLS FREE DIRECT ACCESS PLAN

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

Individuals residing within the boundaries of UHLS but outside a member library's chartered service area will receive library services via:

- Free direct access at any member library
- Downloadable e-content collection access
- Central Library Services provided by the Albany Public Library
- Remote access via the UHLS website and the online catalog
- System wide UHLAN library card

2. Describe how the system will assure that those individuals living within the system boundaries in an area where a member library chooses to withdraw from the system, will be served by the system.

Individuals residing within the boundaries of UHLS in an area where a member library chooses to withdraw from UHLS will continue to receive the same suite of library services available to all residents of the UHLS service area (see #1 above):

- Free direct access at any member library
- Downloadable e-content collection access
- Central Library Services provided by the Albany Public Library
- Remote access via the UHLS website and the online catalog
- System wide UHLAN library card

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

UHLS considers "serious inequities and hardships" to be those conditions which adversely affect resident borrowers of member libraries and/or significantly deprive local residents of the opportunity to borrow library materials. These conditions include:

- Excessive direct access use of a library's collection by residents of all communities outside the library's chartered to serve area.
- Excessive direct access use of a library's collection by residents of a single community outside the library's chartered to serve area which is served by another UHLS member library.

- Unserved communities that refuse to fund a public library or to enter into a fair and equitable contract for library service with a member library or libraries.
- Communities served by a member library that do not adequately support that library, either through taxation or municipal appropriation, with the result that the library fails to meet NYS minimum standards for public libraries.

The criteria used to determine “serious inequities and hardships” are described in #4 below.

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

UHLS uses the following criteria to determine "excessive out of chartered service area borrowing":

When 30% or more of total materials circulated in direct access transactions from the collection of a member library are to residents of communities outside a library’s chartered service area.

or

When 10% or more of total materials circulated in direct access transactions from the collection of a member library are to residents of a single community outside a library’s chartered service area.

or

When an unserved community has a population over 10,000 and has no fair and equitable contract for library services and/or refuses to establish and support a public library.

5. a) ***Describe the current unserved and underserved populations within the system.***

According to the 2010 NYS DLD population statistics, the total unserved population in the UHLS service area is 23,819. The specific unserved areas may be seen on the NYS DLD website (<http://www.nysl.nysed.gov/libdev/libs/publibs/3uh.htm>).

There are currently no underserved populations within UHLS [see 5.b) below for UHLS criteria to identify underserved populations.]

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

The UHLS criteria for determining an adequate level of support is the member library’s ability to comply with minimum standards for public libraries as described in New York State education law and New York State Commissioner’s Regulations (http://www.nysl.nysed.gov/libdev/excerpts/finished_regs/902.htm).

Each member library reports on their compliance with the NYS minimum standards in the annual report. If the library is in compliance with the minimum standards, or if the Commissioner of Education has granted a waiver from one or more of the standards, the library is deemed to have an adequate level of support.

There are currently no libraries in UHLS that are not in compliance with NYS minimum standards.

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.***

UHLS and its member libraries have a strong history of resource sharing, recognizing that working “Together. For better libraries” is the most effective way to improve the quality of library service for all library users in Albany and Rensselaer Counties. As a demonstration of this commitment, UHLS will engage in and support all efforts that encourage the expansion of the availability of library service within the UHLS service boundaries. UHLS will also support member libraries in their efforts to secure more funding and to create sustainable funding models to improve and enhance local library services. UHLS will provide and promote consulting and continuing education opportunities to assist member libraries to develop the knowledge base, the skills, and the tools necessary for effective local advocacy, including the creation of new tax supported public libraries in Albany and Rensselaer Counties. UHLS will work with member libraries to advocate for and to negotiate fair and equitable contracts with unserved communities in order to ensure the availability of library service for the residents of underserved communities.

d) ***Provide a timetable for such activities***

All of these efforts will be ongoing.

e) ***Identify who will be responsible for carrying out these actions***

UHLS staff and library staff and trustees from the affected member libraries will be responsible for carrying out these actions.

6. Describe the conditions under which modifications to this Free Direct Access Plan can be made:

a) ***Without prior approval of the Commissioner of Education***

When a library can document to the satisfaction of UHLS that, in a single calendar year period, 30% or more of total materials circulated in direct access transactions from the collection of a member library are to residents of communities outside a library’s chartered service area (refer to “Free Direct Access - Checkouts of your items at your library” report from UHLS);

or

When a library can document to the satisfaction of UHLS that, in a single calendar year period, 10% or more of total materials circulated in direct access transactions from the collection of a member library are to residents of a single community outside a library’s chartered service area (refer to “Free Direct Access - Checkouts of your items at your library” report from UHLS);

or

When a library can document to the satisfaction of UHLS that an unserved community has a population over 10,000 and has no fair and equitable contract for library services and/or that it refuses to establish and support a public library, then that library may restrict access to the following materials and programs:

- Non-print materials and equipment
- Printed materials that are less than one year old from acquisition date (fiction, non-fiction books and periodicals)
- Attendance at library programs may be restricted with first preference given to local residents.

These restricted materials and programs must be supported entirely from local funds. Library materials purchased with Central Library funds may not be restricted.

If a single unserved community is over 10,000, and a library can demonstrate that it is experiencing “serious inequities and hardship” from the unserved community’s residents, the library may choose to restrict all but on-site use of library materials for those residents.

A library choosing to restrict access as described above must notify UHLS in writing of the decision and detail the restrictions that will be put in place, the time period that the restrictions will be in place, and the methods that will be used to evaluate the effectiveness of the restrictions in addressing the inequity. UHLS will immediately notify all of the other member libraries of such restrictions.

b) *With prior approval of the Commissioner of Education*

A library may request a waiver from the Commissioner of Education to impose restrictions beyond those mentioned in this plan if a majority of the other member libraries agree to support such a waiver. The request for this waiver will be made in writing to UHLS and must include the following elements:

Element 1 - Documentation of the serious inequities and hardships affecting the resident borrowers of the member library making the request.

Element 2 - The proposed restrictions that will be implemented and a description of the anticipated impact on resident and non-resident borrowers.

Element 3 - Recommendations for remedying the underlying inequity with a proposed timetable for action.

c) *System support for modifications to the Free Direct Access Plan*

UHLS will provide support and assistance to any member library that feels it may have a Free Direct Access issue. UHLS will assist the library in the collection and analysis of the relevant use statistics and explore the options available to address the cause of the inequity and/or to restrict access to its material and programs based on the criteria outlined in this plan.

10. *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*

Upon adoption by the UHLS Board of Trustees and approval by the Commissioner of Education, the UHLS Free Direct Access Plan will be distributed to all member libraries and posted on the UHLS website. UHLS will lead a discussion on the Free Direct Access Plan at a regular meeting of the UHLS Director’s Association to review the plan in detail and reinforce the importance of compliance with the plan.

UHLS will be prompt and responsive to any queries or concerns from member libraries regarding compliance with the UHLS Free Direct Access Plan.

11. ***Describe how system obtained member library input to plan for direct access?***

- Draft plan developed by UHLS staff based on previous Free Direct Access Plan and experiences within UHLS involving resource sharing and free direct access issues.
- Distributed for review and consideration to the UHLS Director's Association.
- Reviewed and discussed at the 11/2/12 meeting of the UHLS Director's Association meeting.
- Approved by UHLS Director's Association at their 11/2/12 meeting.
- Distributed for review and consideration to the UHLS Services Committee.
- Approved by the UHLS Services Committee for recommendation to the UHLS Board of Trustees at their 11/14/12 meeting.
- Approved by the UHLS Board of Trustees at their 11/14/12 meeting.
- Reaffirmed by the UHLS Directors Association and the UHLS Board of Trustees as part of the 2017-2021 Plan of Service process during the summer/fall of 2016.