

# RCLS Direct Access Plan 2017-2021

The Ramapo Catskill Library System (RCLS) encompasses three counties: Orange, Rockland, Sullivan and a portion of southern Ulster County, with 47 public libraries. The total population within the System's service area is 803,351. A total of 31,071 people, (3.87%) within the RCLS service area are unserved. This does not reflect the 38,406 people (4.78%) who live in unserved areas, which are covered by contracts with member libraries and are entitled to full library services.

## **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 residents of the RCLS service area are entitled to library cards from their home libraries, defined as those libraries supported by the municipalities or districts in which the residents live. "Supported" is defined as financial support either by charter or by contract.

The Direct Access Plan (the Plan) recognizes the need for communities to provide tax support for library services to their residents, and further acknowledges that communities which do so should neither be expected nor required to provide free library services to residents of communities which do not support library services. The Plan promotes the use of contracts to expand library services to communities lacking a chartered library. Throughout RCLS, libraries have used contracts with school districts and townships to provide services.

Individuals residing in jurisdictions of under 10,000 population without a municipal entity that can collect taxes, that is unorganized areas or hamlets, which are outside the chartered service area of a member library shall be eligible to receive a library card from a member library.

Individuals residing in jurisdictions of under 10,000 population whose community has deflected efforts on the part of RCLS, over the last 10 years, to assist the community in obtaining library service through self-taxation shall not be entitled to a library card from a RCLS member library. Communities can obtain library services for their residents by contracting with a member library or by establishing a chartered library. Residents in areas not served by a contract with a member library shall be eligible to use the RCLS Central Library (Newburgh Free Library). This will entitle the individual to the use of databases provided by both RCLS and NOVELNY (a State sponsored program), and borrow materials according to restrictions allowed under Commissioners regulation 90.3, d, 2, ii and iii; specifically: borrowing of print materials older than one year, including fiction and non-fiction books and periodicals; and program attendance where such attendance is not restricted to the member library's residents only. Borrowing of audiovisual materials, print materials newer than one year and use of local purchased databases will not be allowed.

Individuals residing in jurisdictions with populations of over 10,000 are subject to the terms of the Regulations of the Commissioner of Education 90.3 (e)(2)(i).

Anyone living in the RCLS service area is entitled to walk-in, on-site access, at any member library to all library materials, use of computers with access to the Internet, (per NYCRR Title 8 - 90.3(a) through (d),(4)) and to the use of materials at the RCLS Central Library, supported by Central Book Aid (CBA).

**2. 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 now within RCLS boundaries are members of the System. Should a member library choose to withdraw from the System, residents from that library’s service area would continue to be eligible to borrow materials purchased with state CBA funds from the Central Library and to access the NovelNY and RCLS funded electronic databases.

Residents served by newly chartered and registered libraries which have not joined the System, will be served by RCLS in the same manner as stated in paragraph 1.

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

RCLS considers that it represents “serious inequities and hardships” when unserved populations refuse to tax themselves for contracted library service at a realistic cost, relying instead on the collections, services and funds of member libraries, which places an unfair burden on member library taxpayers. There is no other service in New York State where residents of one taxing jurisdiction are expected to support services to residents of another taxing jurisdiction.

Should a member library want to provide the residents of an unserved jurisdiction full library services, including direct access rights, it must enter into a contract with the unserved jurisdiction. The minimum contract rate must be equal to the local per capita expenditure or two thirds (2/3) of the median per capita expenditure, whichever is higher, for the county in which the library is located. Two thirds (2/3) of the median per capita expenditure for each county is as follows:

Orange	\$40.61
Rockland	\$96.53
Sullivan	\$23.47
Ulster	\$43.67

This rate is to be adjusted annually based on the most recent Annual Report data.

All contracts must be submitted to RCLS for review prior to signing. RCLS will assure that the contract meets all criteria defined above.

Member libraries that choose to provide the residents of an unserved jurisdiction local library services only, with no direct access rights, may set their own contract rate or can provide this service without a contract.

“Serious inequities and hardships” also occur when the patrons of one member library excessively use a neighboring library. See Section 4.

**4. Describe what constitutes excessive out of chartered/contracted service area borrowing in the System.**

Excessive out of chartered/contracted service area borrowing occurs when a net 10% or more of an individual library's circulation is by the patrons of other RCLS member libraries and/or a net 5% or more of that circulation is attributable to patrons from a single member library, and the pattern of use has continued for six months or more.

Another form of excessive out of chartered/contracted service area borrowing occurs when an RCLS member library's patrons borrow as much, or more, in total from other libraries as they do from their own library, and that borrowing is not reciprocated by the patrons from the corresponding member libraries.

Either or both libraries affected by excessive use can file a complaint per Section 7 below. The statistics to identify these situations are available through our online circulation System.

**5a. Describe the unserved and underserved populations within the System.**

Unserved populations exist in pockets throughout the RCLS service area and have been mapped by the NYSED Division of Library Development. The total untaxed/unserved population is 31,071. There are also unserved jurisdictions which have entered into contracts with a chartered library and provide tax support for service. The total population covered by contracted service is 38,406 people.

Underserved populations are those whose chartered/contracted library service is not equitable according to System standards as defined in this plan. Typically, the library has a budget which does not meet the criteria set out in Section 3 above. Patrons of such libraries are tacitly encouraged to rely on other System libraries for convenience of hours, depth of collections, Internet access, program offerings and knowledgeable staff to meet their needs.

**5b. 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.**

Libraries falling below NYS minimum library standards number 7 – 9 and 11, per their annual report, and/or with a per capita expenditure of less than two thirds (2/3) of the median of the libraries in the county within which it is located, as specified in Section 3 above, may be considered under served. The case of each such library will be considered individually based on geography, service population size, ratables and fund raising efforts.

There is currently only one (1) library which fails to meet the specified NYS minimum standards specified above:

Goshen Public Library and Historical Society

**5b. continued**

There are currently eight (8) libraries which have expenditures lower than two thirds (2/3) of the median per capita expenditure of the libraries within the county they are located. They are:

*Orange County*      Moffat Library of Washingtonville  
                                 Montgomery Free Library  
                                 Pine Bush Area Public Library District

*Rockland County*    Tappan Library  
                                 Suffern Free Library  
                                 Finkelstein Memorial (Spring Valley)  
                                 Rose Memorial Library Association

*Sullivan County*    Sunshine Hall Free Library

Annual report data regarding collection size, electronic resources and staffing as these relate to population size will be used to identify libraries which may need assistance in analyzing their patron's satisfaction level.

**5c. 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.**

RCLS staff and trustees will work with member libraries to encourage and assist them in their efforts to improve services and approach local officials for improved funding.

- Libraries that currently do not hold budget votes will be informed about Section 259 of Education Law, "Chapter 414" and special district status.
- Meetings will be held with libraries identified in Section 5b to review state standards and System policies that govern System services.
- Governing authorities in unserved jurisdictions will be notified of the need to provide tax funding if full library service is to be allowed/continued.
- The three regional library associations within RCLS borders, the Director's Association Direct Access Committee and the Plan of Service Committee will be encouraged to participate in meetings with affected jurisdictions.
- Member libraries subject to overuse by residents from other member libraries will be encouraged to invoke the restrictions as permitted under Commissioner Regulation 90.3, in accordance within the guidelines set out in this Plan, as a means to reinforce the reciprocity that is the cornerstone of direct access.
- RCLS will encourage unserved jurisdictions to contract for library service with a member library or by action to charter a new library.

**5d. Provide a timetable for such actions.**

For many years and in particular in the last decade, RCLS and its member libraries spent considerable time and effort to urge unserved jurisdictions to tax themselves in order to provide their residents access to library services. These unserved jurisdictions have been offered the option of contracting with member libraries or taking action to charter a library within their jurisdiction. Although we have had some success in increasing the number of these jurisdictions that have contracted for library services, there are several that have opted not to take any action.

RCLS and its member libraries will continue to work with any and all unserved jurisdictions to help them understand the value of providing their residents library services. RCLS staff will assist these jurisdictions in getting the information they need to undertake the action to charter a library and we will help these jurisdictions make contact with member libraries in order to enter into contracts for library services.

Residents in jurisdictions which are not willing to enter into contracts or establish a chartered library will not be able to access library services, except for limited services available from the Central Library, some State supported services and through local service only cards with member libraries that chose to offer this with or without a contract.

**5e. Identify who will be responsible for carrying out these actions.**

Adequate funding is the responsibility of the member libraries. Encouragement of improved library services throughout the System is set forth in Section 5c above. RCLS is responsible for educating the public, especially untaxed/unserved communities, with regard to the terms of its Direct Access Plan.

**6. Describe the conditions under which modifications to the free Direct Access Plan can be made.**

All recommendations for modification of the Plan shall be initiated by the Director's Association (the Association) Direct Access Committee (the Committee) at the request of a member library and must be approved by the Association and ratified by the RCLS Board of Trustees. Prior to bringing a request to modify the Direct Access Plan, a member library must make a good faith effort to resolve any serious inequities or excessive use with the library Board and Director of the Library exhibiting this behavior.

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

Once this Plan has been accepted by the State Education Department, residents of unserved/untaxed communities will be advised of the need to tax themselves for library service in accordance with section 1 above. Upon request of any member library affected, the Committee will consider the circumstances and the efforts expended by the community against which the excessive use complaint is lodged, and will recommend a course of action to the Directors Association. If the recommendation is that services to the community are to be discontinued (excepting on site use of resources and borrowing of CBA titles as specified in Section 1, paragraph 5 above) and it is approved, the plan will be modified to exclude residents of that community.

In individual cases regarding overuse according to Section 4 above, either member library affected may file a written complaint with the Committee. The Committee will review the circumstances regarding the complaint and make a recommendation to the Association. Recommendations approved by a majority vote of the Association and ratified by the RCLS Board of Trustees will become modifications to the Plan.

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

After the expiration of the deadlines specified in Section 5d above, and documentation that efforts to contract with an unserved area with a population of under 10,000 were unsuccessful, a member library may file a written complaint with the Committee. The Committee will review the circumstances regarding the complaint and may recommend that a waiver be sought from the Commissioner of Education denying free direct access to residents of the affected area.

In individual cases where the Committee recommends actions beyond those spelled out in the free direct access guidelines as permissible without prior approval of the Commissioner of Education, the RCLS Board, will send a letter to the Commissioner asking that the additional actions be permitted.

**7. Describe how the System will assure that member libraries are complying with the System's free Direct Access Plan.**

Member library and RCLS staff will review the statistics generated by the automated network to monitor direct access activity.

Complaints regarding violations of the Direct Access Plan will be referred to the Direct Access Committee.

Guidelines for Committee action regarding complaints are as follows:

- complaints must be presented in writing by an affected member library, including information about the actions taken by the affected library Boards to resolve the problem(s)
- complaints will be discussed with representatives of all parties concerned (member libraries, community representatives)
- resolutions will be directed toward improving reciprocity
- recommendations for resolution of complaints will be approved by the Directors Association and the RCLS Board of Trustees
- when required the RCLS Board will submit the recommendation for resolutions of complaints to the Commissioner of Education for approval

Approved by the Directors Association – January 7, 2016

Approved by a majority of member library Boards of Trustees – May 2, 2016

Adopted by the RCLS Board – May 16, 2016

Approved by the Division of Library Development – October 17, 2016