



Pioneer Library System

FREE DIRECT ACCESS PLAN 2022-2026

Introduction:

The Free Direct Access Plan (FDAP) is a State-approved agreement between the Pioneer Library System (the System) and the New York State Education Department required by Commissioner’s Regulations 90.3(a) through (d) (4).

The FDAP addresses the delivery of library services to unserved and underserved residents who live within the System’s geographic boundaries. For System residents who do not live within the chartered service area of any of the System’s member libraries, the FDAP allows for the imposition of restrictions under certain circumstances if without those restrictions the services member libraries provide to their residents would be negatively affected.

Definitions for the purposes of this Plan:

Direct Access:

“...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.”¹

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.”²

¹ 8 CRR-NY 90.3 Approval of Public Library Systems; (d)(1)(ii).

² 8 CRR-NY 90.3 Approval of Public Library Systems; (a)(5).

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 or who is a system cardholder.”³

Underserved:

“...those individuals residing in geographic areas that are within the chartered service area of a member library and which the public library system has identified as having an inadequate level of local income to support the delivery of acceptable library services.”⁴

Unserved:

“...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.”⁵

Serious inequities and hardships:

“...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 are not limited to, a definition of what constitutes excessive borrowing of a library's resources by nonresident borrowers.”⁶

OWWL Library Card

This is the library card patrons receive upon registering at a library or online through <https://owwl.org>. This card can be used to borrow library materials and access services at the 42 member library locations. This library card can also be used to access online services and materials.

Free Direct Access:

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.

- A. Member libraries offer free on-site use of library resources to all residents of the four counties that comprise the Pioneer Library System (Livingston, Ontario, Wayne, Wyoming).

³ 8 CRR-NY 90.3 Approval of Public Library Systems; (a)(6).

⁴ 8 CRR-NY 90.3 Approval of Public Library Systems; (a)(11).

⁵ 8 CRR-NY 90.3 Approval of Public Library Systems; (a)(10).

⁶ 8 CRR-NY 90.3 Approval of Public Library Systems; (a)(9).

- B. On-site resources requiring library card access have provisions for guest access to support use by residents and non-residents without an OWWL library card.
- C. All member libraries offer direct access to all residents of the Pioneer Library System service area by means of a single, free, system-wide OWWL library card.
- D. Exceptions to Direct Access: Member libraries may implement, at their discretion, the following limited restrictions on access to services supported by local public funds
 - 1) Member libraries may give preference to the residents of their taxing district for attendance at library programs.
 - 2) Member libraries may give preference to the residents of their taxing district for the use of computers and Internet resources.
 - 3) Member libraries may restrict the loan of special, pilot, or experimental collections (as defined by individual libraries) to the residents of their taxing district.
- E. As specified in the Regulations, libraries “shall not be required to provide free direct access to their materials and services to residents of a jurisdiction of 10,000 population or more which has not exercised the authority contained in section 255 of the Education Law, or other pertinent legislative act, to establish and maintain a public library, or which is not contracting for public library service in accordance with section 256 of the Education Law.”

2. Describe (a) how the system will assure that those persons residing within the system boundaries in an area where a member library chooses to withdraw from the system, (b) or where a chartered and registered library was never a member of the system, will be served by the system.

- A. In the event that a library withdraws from the System, residents of the library’s chartered service area will continue to be entitled to on-site access as specified in #1 above.
- B. Residents served by a newly chartered and registered library, which has not joined the System, will be entitled to on-site access as specified in #1 above.

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

- A. Pioneer Library System considers “serious inequities and hardships” to be those conditions which adversely affect residents of the chartered areas of member libraries and/or significantly deprive resident borrowers the opportunity to borrow library materials. Hardships occur when non-resident use by borrowers from any one municipality exceeds 10% of a library’s use statistics for which there is inadequate compensation from the non-resident municipality.
- B. The criteria used by the System to make the determination of serious inequities and hardship include:
 - 1) Excessive use of a library’s collection by residents of a geographic and/or administrative area (i.e. municipality or school district) that is not within a chartered

public library service area and does not provide adequate funding for the library's services.

- i. The level of funding from non-resident municipalities, school districts, or counties should approximate the per capita funding at the library where the hardship occurs.
- ii. Libraries may take measures to limit the services provided to excessive, non-resident borrowing from areas that fail to provide sufficient funding.

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

- A. Excessive borrowing occurs in a member library when:
 - 1) Over 10% of circulation or program attendance is to non-residents of any one municipality outside the library's chartered service area; or
 - 2) Over 50% of a library's total circulation is to non-residents.

5. Unserved and Underserved Populations

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

- A. The 2010 census population of the Pioneer Library System's four counties is 309,251. Of that, 33,770 reside outside any library's chartered service area and are therefore counted as unserved.
 - 1) Several of the municipalities and/or school districts where the unserved reside provide funding to the local libraries that provide services for their residents.
- B. At the time of this revision/review, there are no underserved populations within the system.

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.

- A. The System assesses the adequacy of local support by the ability of the member library to:
 - 1) Meet the Minimum Public Library Standards;
 - 2) Meet the ILS cost obligation; and
 - 3) Contribute to the shared downloadable collection of audiobooks and e-books.
- B. All libraries within the Pioneer Library System meet these criteria at the time of this revision/review.

5c. Describe the actions the system will take to expand the availability of library services to unserved and underserved individuals residing within its boundaries.

- A. For member libraries with surrounding unserved populations, the System encourages and advises Directors and Boards to consider expanding their chartered service area to include

unserved residents and to seek funding sustainability by becoming school or special district public libraries.

- B. Where expanding chartered service areas is impracticable, the System consults and assists member libraries with seeking funding from unserved municipal or county entities for non-resident use of member libraries.
- C. Should a member library become underserved, the System will support their efforts in seeking budget increases from local funders or through budget votes.

5d. Provide a timetable for such actions.

- A. Advising members in becoming district libraries and/or advocating for better funding are ongoing efforts provided both on-demand and periodically through workshops and written communications.

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

- A. The System's Executive Director, Deputy Director, and Business Manager will be responsible for carrying out the actions related to becoming district libraries and advocating for improved funding.

6. Describe the conditions under which modifications to the Free Direct Access Plan can be made: a) without the prior approval of the Commissioner of Education and b) with the prior approval of the Commissioner of Education.

- A. Libraries that experience excessive non-resident borrowing as defined in Section 4 above may, upon appropriate public notice and without further approval from the System or from the Commissioner of Education:
 - 1) Place restrictions on the loan of library resources, said restrictions to be limited to non-print materials and equipment and to print materials less than one year from the acquisition date and purchased with local funds.
 - 2) Place restrictions on attendance at library programs, provided such programs are supported entirely by local funds.
- B. Additional restrictions and/or modifications may be requested by individual libraries and must be approved by a majority of the member libraries and by the System Board of Trustees before transmission to the Commissioner of Education for approval. The request for restrictions must include the following, in a form acceptable to the Division of Library Development:
 - 1) Documentation showing the inequities and hardships affecting resident borrowers of the library making the request
 - 2) Description of the proposed restrictions/modifications (may not include charging for services)
 - 3) Description of the anticipated impact from implementation of modifications

- 4) Specific time period for which modifications will be implemented (renewals are required to extend beyond specified end date)
- 5) System recommendations for addressing the underlying problem(s).

7. Describe how the system will assure that member libraries are complying with the Free Direct Access Plan approved by a majority of member libraries.

- A. Following the approval of the Free Direct Access Plan by the member libraries, the System Board, and the Commissioner of Education, the Plan will be distributed to each member library, accompanied by a memo from the System explaining:
 - 1) This Plan is required under the Commissioner's Regulations; and
 - 2) It has been approved by a majority of member libraries as a guide to direct public access to library service in Pioneer; and
 - 3) Members are required to abide by it.
- B. In the unlikely event that any member library deliberately fails to comply, the System will work with the offending library to bring it into compliance.
- C. If compliance efforts are unsuccessful, the offending library may be stripped of System services, such as:
 - 1) termination of consulting services;
 - 2) termination of participation in the integrated library system;
 - 3) termination of interlibrary loan services; and/or
 - 4) termination of delivery service.

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

- A. The draft plan was distributed and discussed by the Pioneer Library System Board of Trustees, which has two representatives from each of the four counties within the System;
- B. The draft plan was distributed to all member directors for review and comment;
- C. The draft plan was subject to an open forum discussion at the September 2021 Director's Advisory Council Meeting;
- D. The draft plan was approved following open forum discussion at the September 2021 Director's Advisory Council Meeting;
- E. The draft plan was reviewed and approved at the Pioneer Library System Board of Trustees meeting on September 8, 2021; and
- F. The approved plan was submitted to the Division of Library Development on October 3, 2021.

Approved by System Board: September 8, 2021