

## **Monroe County Library System Direct Access Plan of Service**

### **Purpose**

The Direct Access Plan of Service is an agreement between the Monroe County Library System and the State Education Department's Division of Library Development and is required by the Commissioner of Education Regulations 90.3 (a) through (d) (4). The plan asserts the position of the Monroe County Library System that all residents of Monroe County will have access to direct or on-site service in any of the system's member libraries, and will not be subject to discrimination on the basis of age, cultural, economic, gender, civic, or other status. The Plan does assert the right of member libraries to identify and place restrictions on excessive or unfair use of resources that have a negative impact on services rendered to residents of their chartered service area. This plan also addresses the issue of use of MCLS resources by non-Monroe County residents.

### **Definitions**

1. The STATE EDUCATION DEPARTMENT, DIVISION OF LIBRARY DEVELOPMENT OF THE NEW YORK STATE LIBRARY is a state agency organized to oversee library services in New York State and authorizes local library systems to operate and receive state funding.
2. MONROE COUNTY LIBRARY SYSTEM (MCLS) is a 20-member library system located in Monroe County in Rochester, New York. The system is governed by a Board of Trustees appointed by the Monroe County Legislature.
3. The DIRECTORS' COUNCIL is an association of Directors of each member library of the MCLS. The DC acts in an advisory capacity to the MCLS Director and considers policy and procedure decisions for the entire system. The DC is governed by a System Services and Operations Committee which vets policies, procedures, and other system actions prior to presentation to the full DC group. The DC sets the work priorities for the MCLS each year based on the System Five-Year Plan of Service.
4. MEMBER LIBRARIES refers to the 20 members of the Monroe County Library System: Brighton Memorial Library, Brockport-Seymour Library, Chili Public Library, East Rochester Public Library, Fairport Public Library, Gates Public Library, Greece Public Library, Hamlin Public Library, Henrietta Public Library, Irondequoit Public Library, Mendon Public Library, Newman Riga Library, Ogden Farmers' Library, Parma Public Library, Penfield Public Library, Pittsford Community Library, Rochester Public Library, Rush Public Library, Scottsville Free Library, Webster Public Library.

5. DIRECT ACCESS refers to the ability of any resident of Monroe County to access freely the materials, services, and programs of all MCLS member libraries, either remotely or onsite, through the use of a system library card.
6. CHARTERED SERVICE AREA refers to the area of Monroe County designated as the approved geographical area to which individual member libraries provide service as designated in an official charter issued to each library by the New York State Board of Regents.
7. RESIDENT BORROWER refers to residents of Monroe County.
8. OUT OF COUNTY BORROWER refers to borrowers and potential borrowers who reside outside of Monroe County and do not own property in Monroe County. Out of County Borrowers pay an annual fee to use the materials, services, and programs of the Monroe County Library System.
9. MATERIALS, SERVICES, AND PROGRAMS means the physical materials located in library buildings that can be borrowed, digital content that may be borrowed through the MCLS website, services provided directly to a user such as computer training, and programs offered inside or out of the library by library staff usually for educational or recreational purposes.
10. ON SITE USE refers to the ability of a patron to use the library resources in or on the physical premises of the library.
11. SERIOUS INEQUITIES OR HARDSHIPS refers to those conditions which adversely affect resident borrowers or member libraries.
12. UNSERVED refers to those residents of Monroe County who live in a geographic area of the county not included in a chartered service area of any library in MCLS.
13. UNDERSERVED refers to residents of Monroe County who live in a geographical area deemed unable to financially support a public library.

### **Plan Development, Revisions and Appeals**

The MCLS Director and Assistant Director will annually review the Direct Access Plan and seek feedback from member library directors when necessary. Such feedback will be incorporated into the Direct Access Plan as appropriate, with the revised plan approved by majority vote of the Directors Council. The Direct Access Plan will then be presented to the MCLS Board of Trustees for review and feedback, and ultimately approval. The Plan will then be submitted to

the Division of Library Development as part of the System Five-Year Plan of Service, and will be posted on the system website, <http://libraryweb.org>.

Appeals to the Direct Access Plan must be made in writing to the MCLS Director and Board of Trustees.

### **Description and Procedures**

Monroe County Library System serves the approximately 720,000 residents of the County of Monroe, a 1,366 square mile area located in the Genesee Valley region in western New York. The 20 members of the MCLS are independently chartered and governed municipal, association, and school district libraries. A total of 32 buildings provide library service in Monroe County.

The MCLS supports the activities of the member libraries by providing information technology, delivery, interlibrary loan, and technical services. Direct service to borrowers is provided by the member libraries. The responsibilities of the system and its members are detailed in a Document of Understanding developed every 3 years by the MCLS Director and a committee of member library directors. This document also sets the cost shares assessed to each member library to support system services.

### **Unserved Areas**

There are approximately 7,000 system residents who live in unserved areas which are not included in any member library-chartered service area. In Monroe County, those residents are limited to small strips of land located in the Town of Perinton, which is largely served by the Fairport Public Library, a school district library. Despite living in an area that does not financially support a public library, residents of the "Perinton Strip" have full borrowing privileges at all MCLS libraries.

### **Underserved Areas**

There are no underserved areas in Monroe County.

### **Claims and Procedures**

#### **1. Monroe County Residents**

Membership in the Monroe County Library System is governed by a Document of Understanding which is prepared every three years by a committee consisting of the MCLS Director and Associate Director, and 4 representatives from member libraries. This DOU sets forth the conditions under which the system and members operate,

including language that member libraries are expected to provide borrowing privileges to patrons of other libraries in the system.

Should any member library determine that providing open, direct, unlimited access to residents of Monroe County residing outside their chartered service area presents a serious inequity or hardship, the member library board of trustees may submit a complaint in writing to the MCLS Board of Trustees. The MCLS Board and MCLS Director will thoroughly investigate the claims within 30 days of the receipt of the complaint. The MCLS Director and Board will prepare a report and recommendation, which will then be presented to the member library board. Both boards will work together to determine a resolution to the issue. The resolution must be approved by the Directors' Council, member library boards and the MCLS Board of Trustees.

## **2. Out of County Residents**

The Monroe County Library System has established a process by which users who live outside Monroe County and do not own property within Monroe County can annually purchase a MCLS borrowers card giving them full borrowing and usage privileges at all MCLS libraries. Out of County residents must complete an application for a MCLS borrower's card and submit it either online or by mail, along with a payment, to the MCLS Finance Office.

Residents of the Caledonia-Mumford School District pay property taxes that are split between the Caledonia and Mumford libraries, and are included as Monroe County taxpayers.

Member libraries may elect to offer restricted cards to Out of County residents at no cost. These cards allow full use of a single member library collection and services, but may not be used freely at other MCLS libraries. Typically, libraries on the outer edge of the county offer these cards to out of county residents who live near the MCLS library.

### **Exceptions to Direct Access**

The following exceptions are limited to library resources purchased with funds obtained from a local source.

1. Member libraries may give preference to the residents of their chartered service area for attendance at programs.
2. Member libraries may give preference to the residents of their chartered service area for use of computers and digital resources.
3. Member libraries may give preference to local library visitors for onsite use and borrowing of materials purchased with local funds. These materials will be designated as NEW in the ILS and will not be available for delivery to other libraries while marked as

such. These items will, however, be available for borrowing by any MCLS card holder in the owning library.

### **Serious Inequities and Hardships**

Onsite and system use may lead to serious inequities and hardships for a member library when residents from outside the library's chartered service area make excessive use of a library's resources and that excessive use affects the access provided to residents of the library's chartered service area.

Under this plan, claims of serious inequities and hardships may be made by a member library and its board of trustees when:

1. Non-residents of the chartered service area, in the aggregate and from multiple areas, represent 51% or more of a library's total circulation based on a three-year average.
2. Non-residents of the chartered service area from a single area represent 40% or more of a library's total circulation based on a three-year average.
3. Non-residents of the chartered service area from unserved areas represent 5% or more of a library's total circulation based on a three-year average.

The following restrictions to direct and on-site access may be applied on the basis of residency in verified cases of serious inequities and hardships:

1. Restrictions upon the loan of library resources. Such restrictions shall be limited to non-print and print materials, and equipment less than one year old. Materials must have been purchased with local funds.
2. Restrictions upon attendance at programs where local municipal residents are given preference. All restricted programs must be funded using local funds (i.e. not federal or state funds such as LSTA).
3. Restrictions on computer use where local municipal users are given preference for use of computer equipment.

Users residing in an area served by a member library that elects to withdraw from the system may not be restricted from *on-site* use of materials and computers at other member libraries. In addition, these individuals shall continue to have borrowing privileges at the Central Library.

Approved by the MCLS Board of Trustees, November 2012

Revised and approved by the MCLS Board of Trustees, June 19, 2017

Reviewed and approved by the MCLS Board of Trustees, November 21, 2021