

90.3 Compliance Plan

December 27, 1999

Revised January 30, 2002

1. How individuals residing within the boundaries of the System, but outside the chartered or contract service areas of the SCLS Member Libraries, will receive services as of January 1, 2000.

On-Site use

As defined in Commissioner's Regulation 90.3 (a) (8) and required by CR90.3 (d) (i), on-site use will be available to any Suffolk County resident. However, the following limitations may be imposed as per Section (d) (2) (iii) of CR 90.3 and the DLD Guidelines:

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

Borrower Cards

The Patchogue-Medford Library, as the SCLS Central Library, will issue State-Mandated Access Cards without charge to individuals living in untaxed/unserved areas within Suffolk County, provided these individuals present proof of identity and residence. These cards must be renewed annually.

Central Library Borrowing Privileges

The Patchogue-Medford Library will permit borrowing privileges of Central Library materials to residents of untaxed/unserved areas to the same extent as provided to all other Suffolk County residents. The Central Library may restrict the loan of experimental or pilot collections or services (ie. E-books, DVDs, SuffolkNet Accounts), purchased with local funds, to district taxpayers. Inter-library loan privileges, as required, will be extended to residents of untaxed/unserved areas. SCLS will reimburse the Central Library for any materials lost by such patrons. Reserves are a courtesy offered to local residents and will not be extended to non-residents.

2. How persons living within the System's boundaries in an area where a member library chooses to withdraw from the System will be served.

All registered and chartered public libraries in Suffolk County are members of SCLS.

In the event a library withdraws from SCLS, residents of the affected area will continue to be entitled to on-site access as defined in CR 90.3 (a) (8) with the limitations specified in item 1, above. Residents of such areas may continue to borrow circulating materials purchased with state or federal funds from Central Library or SCLS collections.

3. Serious Inequities and Hardships

In addition to excessive borrowing as described in 4. below, there are other 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 considered grounds for the request of a hardship waiver by the Commissioner include, but are not limited to the following:

- A significant difference in hours of operation. (i.e., Sunday hours)
- 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 Sec. 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 in accordance with Section 256 of the Education Law.

4. Excessive Borrowing

The *SCLS Resource Sharing Code*, defines “excessive borrowing” for the member libraries of the Suffolk Cooperative Library System as 2% of its annual net circulation to residents of any individual library service area, or 7% of its net circulation to direct access patrons in the aggregate. This Plan has been in effect since 1984 and is, to a large extent, responsible for the relentless development of local library collections and the continued cooperation among SCLS member libraries. Notwithstanding the above, the permissive nature of CR 90.3 and the *SCLS Resource Sharing Code* has encouraged extensive reciprocal borrowing among SCLS member libraries.

5. Unserved and Underserved areas.

Underserved

At present, all residents living within chartered or contract service areas are served by a library exceeding the minimum standards for service as defined in Commissioner's Regulation 90.2. or served by a library district which has been granted a waiver from specific standards in Regulation 90.2 by the State Education Department. Such waivers require a plan of compliance for approval. It may therefore be asserted that there are no underserved populations in the System or, if so, those libraries not meeting minimum standards are in the process of compliance.

Unserved

At present all residents of Suffolk County reside within a chartered or library contract service area.

6. Modifications

a. The primary intent of reciprocal borrowing among the member libraries of the Suffolk Cooperative Library System is to offer unrestricted access to all the resources of the System. However, in accordance with CR 90.3 (d) (2) (ii) and (iii), a library may restrict access to nonprint materials or equipment, to print material less than one year old or attendance at library programs supported entirely by local funds, if, in the judgement of the Library Board of Trustees, and with the authorization of the Suffolk Cooperative Library System, it is determined to be in the best interests of the local taxpayers and the members of SCLS. All such material must have been purchased with local funds. Reasons for such restrictions include, but are not limited to:

- Direct access circulation of such materials exceeds 1% of the library's annual circulation;
- The experimental nature of a particular collection (e-books, DVDs, etc.);
- A collection insufficient to meet current community demand;
- An inability of neighboring libraries to provide reciprocity for borrowing similar high demand materials;
- Lack of space or staffing to accommodate non-residents at library programs.

SCLS and member libraries may exercise the right to place restrictions described in CR 90.3 (d) (2) (i) for unserved areas with a population of over 10,000 that do not contract for library services, or have their own library, without the approval of the Commissioner.

b. Member libraries may apply to the Commissioner for additional modifications to free direct access due to serious inequities and hardships as noted in 3. and 4. above, per CR 90.3 (d) (3).

7. Compliance

SCLS 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 Suffolk Cooperative Library System. As a condition of System membership the member libraries have agreed to comply with all Regulations of the Commissioner of Education.

8. Member Library Input

CR 90.3 has been a significant focus for SCLS and its member libraries for over 35 years. The SCLS Resource Sharing Advisory Committee is elected by the member libraries to annually review and evaluate the *SCLS Resource Sharing Code*. The Code has been amended and approved by a two-thirds member library vote eight times since 1984. This *Compliance Plan* will be incorporated into the *SCLS Sharing Code*.