

**Item:** Financial Statements Workshops

**Background:** The Westchester Library System (WLS) Board has requested more information on how to review the monthly financial statements provided at the regular Board Meetings in order to gain a better understanding of the financial condition of the entire organization.

**Status:** Chief Financial Officer Rob Caluori developed three workshops for the WLS Board to help with this request. Each workshop will focus on a particular area of the monthly financial report, and they are scheduled as follows:

March 24, 2021: Balance Sheet

April 28, 2021: Income Statement

May 20, 2021: Special Reports (e.g. end-of-year projections,  
restricted net assets, etc.)

Each session will be held via Zoom and will begin at 6:00 pm. Information on how to join the Zoom meeting will be sent to the WLS Board in advance of each session. These sessions will also be recorded for trustees who cannot attend and for inclusion on the WLS website for board development and for use in orientation of new trustees.

February 23, 2021

**Item:** Asset Depreciation

**Background:** Discussions regarding depreciation were part of the recent IT (Information Technology) fee structure discussions and 2021 budget planning process. During this time, questions such as what Westchester Library System (WLS) depreciates, why and for how long were part of these discussions.

Depreciation refers to the reduction in an asset's value over the passage of time, due to factors such as wear and tear and general obsolescence.

**Status:** As a follow up to these discussions, the purpose of this information item is to provide more clarity and transparency around the idea of depreciation.

WLS's policy is to depreciate property, plant and equipment over the estimated useful life of the asset using the straight-line depreciation method. WLS's capitalization threshold is \$5,000 for individual purchases and \$15,000 for aggregate purchases with a minimum of \$2,500 per item.

Estimated useful life means the estimated number of months or years that an asset will be able to be used for the purpose for which it was acquired.

Attached is a chart of WLS's assets currently being depreciated, which includes when each asset was placed into service and when it will fully depreciate. The assets are separated into IT and Non-IT assets.

February 23, 2021

<b>Westchester Library System Assets Currently Being Depreciated</b>				
<b>Asset</b>	<b>In Service</b>	<b>Depreciates Through</b>	<b>Remaining Value as of 12/31/2020</b>	
<b>IT Assets</b>				
Phone system	2016	2021	\$	1,000
Security system	2016	2026	\$	17,606
Network equipment	2016	2021	\$	382
Conference room tech	2016	2026	\$	23,659
Server hard drives	2016	2021	\$	122
Nutanix hardware	2016	2021	\$	27,200
Cisco network equipment	2016	2021	\$	12,310
Data wiring	2016	2026	\$	14,538
Network routers	2016	2021	\$	7,336
VM Ware licenses	2016	2021	\$	12,713
Nutanix hardware	2016	2021	\$	6,606
Furniture	2017	2024	\$	1,139
Cisco network equipment	2017	2022	\$	19,130
VM Ware licenses	2017	2022	\$	72,543
VDI Equipment	2018	2023	\$	23,805
ILS Migration	2019	2024	\$	78,869
Cisco Licenses / Upgrades	2019	2024	\$	38,736
SonicWall Firewall	2020	2025	\$	12,845
<b>Non-IT Assets</b>				
Bookcases	2016	2026	\$	627
Workstations	2016	2026	\$	41,718
Desks	2016	2026	\$	5,274
Chairs & Tables	2016	2026	\$	1,154
Seating	2016	2026	\$	12,101
Furniture	2016	2026	\$	4,579
Chairs & Tables	2016	2026	\$	1,657
Desks/HV Ofc	2016	2026	\$	5,354
Training room tables	2016	2026	\$	1,832
Large LED Displays	2017	2022	\$	1,138
Furniture	2017	2024	\$	953

How assets are depreciated at WLS:

Once an item is recorded as a fixed asset, its useful life is determined so depreciation can be calculated and recorded. Westchester Library System's policy is to depreciate property, plant and equipment over the estimated useful life of the asset using the straight-line depreciation method. WLS's capitalization threshold is \$5,000 for individual purchases and \$15,000 for aggregate purchases with a minimum \$2,500 per item.

**Item:** WLS Code of Ethics & Conflict of Interest Policy Revision

**Background:** Based on recent activity related to the recruitment of new members of the Westchester Library System (WLS) Board of Trustees, the Governance Committee reviewed the Code of Ethics and Conflict of Interest Policy (Policy #7).

**Status:** The Governance Committee met on February 16<sup>th</sup> to review and discuss an expanded version of Item 13 within the Code of Ethics and Conflict of Interest policy (Policy #7). The original and appended (***italicized bold***) text is as follows:

13. ~~Duty to Disqualify~~ ***Appearance of Conflict:*** It is incumbent upon any WLS trustee or employee, whether paid or unpaid, to disqualify or recuse him or herself immediately whenever the appearance of a conflict of interest exists. ***For purposes of this paragraph, service on the board of a member library does not in itself constitute the appearance of a conflict of interest. However, a WLS trustee who sits on the board of a member library should bring to the attention of the Executive Director and the WLS Board of Trustees any situation in which the interests of such member library might be, or appear to be, in conflict with those of WLS. In any such situation the WLS Board of Trustees may require such trustee to recuse him or herself from discussion and/or votes affecting such member library.***

Per regular procedure, these revisions are being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board meeting, which will be held in March 2021.

Any questions can be directed to Cathy Draper, Chair of the Governance Committee.

February 23, 2021

**Item:** New Health Emergency Plan Policies

**Background:** In July 2020, the New York State Legislature passed Bill # S8617B/A10832, which requires public employers to draft and publish a contingency plan in the event of a declared public health emergency involving a communicable disease (e.g., COVID-19).

New York Library Association (NYLA) is encouraging public libraries and association libraries to comply with the law, as their status lends a quasi-governmental appearance to the public.

**Status:** The Governance Committee met on February 16<sup>th</sup> to review and discuss a draft of a new Health Emergency Plan to address the requirements of the NYS legislation. Additionally, a new policy to govern remote work was drafted to align with the requirements of the Health Emergency Plan.

The new policies are attached. Per regular procedure, these policies are being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board Meeting, which will be held in March 2021.

Any questions can be directed to Cathy Draper, Chair of the Governance Committee.

February 23, 2021

## HEALTH EMERGENCY PLAN

### **PURPOSE**

The Westchester Library System (WLS) has adopted this Health Emergency Plan in compliance with New York State Labor Law §27-c to implement operational plans in the event of certain declared public health emergencies including, but not limited to, COVID-19 or other communicable disease or pandemic illness.

The primary goals of WLS's Health Emergency Plan are to establish:

- The roles and responsibilities during all phases of a public health emergency
- Preparedness activities and response protocols
- Coordination and decision making for the continuation of operations

The Health Emergency Plan is designed to ensure precautionary, response, and recovery measures to a public health emergency involving a communicable disease threatening to impact or immediately impacting WLS's staff, trustees, volunteers, and/or community members.

### **ADMINISTRATION**

The Executive Director as authorized by the Board of Trustees administers the Health Emergency Plan. This includes activating the plan, establishing an internal communications network and coordinating all response and recovery activities. If, for any reason, the Executive Director is unable or unavailable to administer the plan, administrative authority shall be passed to the Chief Financial Officer.

### **DEFINITIONS**

The following terms are hereby defined for the purposes of this policy:

- **Personal Protective Equipment (PPE):** Equipment worn to minimize exposure to communicable disease or pandemic illness as mandated by local, state, or federal law and/or any Executive Orders related to the public health emergency or mandates issued by federal agencies including the Center for Disease Control (CDC) and the Occupational Safety and Health Administration (OSHA).
- **Employee:** Any person employed by WLS regardless of job classification or title.

- **Contractor:** Any individual performing paid services for the library but not an employee of WLS.
- **Essential:** Designation made to an employee or contractor whose duties require them to be physically present at the Westchester Library System to perform their job, or tasks that are vital or necessary to the safety or operational needs of WLS.
- **Non-essential:** Designation made to an employee whose duties do not require them to be physically present at the Westchester Library System, or tasks that are not vital or necessary to the safety or operational needs of WLS.
- **Communicable disease:** Illness caused by an infectious agent that occurs through the direct or indirect transmission of the infectious agent or its byproducts or via inanimate environment or object to a susceptible person or persons.
- **Retaliatory Action:** The discharge, suspension, demotion, penalization, discrimination or other adverse employment action taken against any employee.

### **ESSENTIAL EMPLOYEES OR DUTIES**

In the event of a state-ordered reduction of in-person workforce, the Executive Director shall be designated as an Essential Employee and is permitted to be physically present at the Westchester Library System to perform tasks essential to their job or the operations of WLS including, but not limited to, maintenance to the facilities that could otherwise threaten or pose a risk to WLS's facilities if not performed; bookkeeping such as accounts payable, accounts receiving, and processing payroll; and/or accepting, sorting, and opening postal mail or packages.

These essential tasks may be delegated to a specific employee or contractor at the discretion of the Executive Director. This employee or contractor is permitted to be physically present at WLS to perform only the designated essential tasks as assigned.

### **TELECOMMUTE/WORK FROM HOME**

In the event of a state-ordered reduction of in-person workforce, the Westchester Library System's Remote Work Policy will be implemented.

All employees whose duties and routine tasks require the use of a computer and/or Internet access will be provided WLS-issued equipment necessary to perform those duties and tasks.

The Executive Director will provide instructions for downloading/installing any software for employees to perform their duties remotely. The Executive Director will also provide

instructions for transferring office phone lines to personal cell phones as applicable to the employee's job description.

### **IN-PERSON REPORTING**

The Executive Director will coordinate the schedule for employees and contractors reporting to WLS in-person to perform essential tasks so that WLS remains in compliance with the state-ordered reduction of in-person workforce. No employee or contractor is permitted to report to the WLS office without authorization from the Executive Director.

### **PERSONAL PROTECTIVE EQUIPMENT**

PPE as required by local, state or federal laws or Executive Orders will be provided by WLS. As per OSHA guidelines, employees are not financially responsible for mandated PPE. Employees may provide their own PPE if they desire and if it is in compliance with all local, state or federal laws or Executive Orders and CDC and OSHA regulations.

WLS will provide any necessary training for mandated PPE including proper use and disposal.

WLS will keep a supply of PPE in storage in the event a public health emergency is immediately declared. All employees will be aware of the storage location of PPE. The Executive Director will monitor PPE supply levels and replenish the supply as needed.

Failure of an employee to comply with PPE mandates may result in disciplinary action.

### **EXPOSURE TO COMMUNICABLE DISEASE**

If required by local, state or federal laws or Executive Orders, mandatory, continuous health screening practices will be implemented for all employees.

In the event an employee is exposed to a known case of the communicable disease that is the subject of the public health emergency, exhibits symptoms of such disease or tests positive for such disease, the following procedures will be immediately implemented:

- The employee must not report to the work site or they must leave the premises immediately, if already at work, and notify the Executive Director.
- The Executive Director will notify both local and state health departments and will follow guidance specific to workplaces with a suspected or positive case.



- The Executive Director and the employee will determine which other staff members were in close contact and possibly exposed to the communicable disease.
- The Executive Director and the employee will determine which areas of the work site are now considered “contaminated” and need to be immediately closed.

### **Cleaning Contaminated Areas**

- The work site will immediately close off contaminated area(s).
- The area(s) will be quarantined for a length of time determined by local or state health departments.
- The HVAC system will be temporarily turned off in the area(s) so that particles will not circulate throughout the facility.
- After the determined length of time, the area(s) used by the employee will be cleaned, vacuumed and disinfected including offices, workspaces, cubicles, bathrooms, common areas, shared equipment such as computers, tablets, keyboards and shared office supplies.
- The area(s) will be cleaned by Madison Properties using OSHA and CDC approved cleaning supplies and disinfectants while wearing appropriate PPE.
- Once the area(s) has (have) been appropriately disinfected, the area(s) can be opened for use.
- Routine cleaning and disinfecting and logging of these activities as recommended will continue.

### **Contact Tracing**

The Executive Director will adhere to local and state guidance regarding contact tracing. This may include reporting or contacting other employees, contractors, visitors and patrons who voluntarily supplied their information for the purpose of contact tracing and who may have been in close contact with the employee(s) suspected or confirmed to have the communicable disease.

The Executive Director and the designated contract tracing team will keep the health status of employees confidential.

### **Compensation**

WLS will adhere to all local, state and federal laws or Executive Orders regarding sick leave or expanded family and medical leave for specified reasons related to this communicable disease.

## **Returning to Work**

- An employee who is exposed to the communicable disease or exhibits symptoms of the communicable disease must follow all local and state health department directives, which may include being tested for that communicable disease and/or quarantining for a specified amount of time at home.
- An employee who has a suspected or confirmed case must not report back to work until they have met all of the required criteria in consultation with a healthcare provider and in accordance with local, state and/or federal criteria specific to the communicable disease.
- All other employees will be provided instructions for returning to work dependent on the determination of risk of exposure by the local or state health department during contact tracing.

## **Mitigating Risk**

Reporting to work following a known exposure to the communicable disease, having symptoms consistent with the communicable disease or following a positive test without being medically cleared to return to work as defined above will be considered a violation of WLS policy and may result in disciplinary action.

WLS will not take any retaliatory action for employees not reporting to work due to a suspected or confirmed case of the communicable disease. Employees must follow the established protocols outlined in the Personnel Policy/Employee Handbook for reporting an absence.

## **CONTINUATION OF OPERATIONS**

In the event of a declared public health emergency involving a communicable disease, the Executive Director will address operations according to the following outline. Some circumstances will require deviation from this sequence in order to best serve the safety and health of WLS staff and visitors.

- Assess the emergency declaration as it relates to the organization's facilities, materials, staff and community.
- Notify the appropriate persons, including employees and the Board of Trustees.
- Determine the next steps, with the information available, regarding:
  - Services or service points

- Hours of operation
- Personnel
- Draft a press release or statement to the public.
- Document in detail the sequence or timeline of events before, during and after the declared public health emergency.
- Prepare for recovery.

## **COMMUNICATION**

Once approved by the Board of Trustees, this Health Emergency Plan will be published in a clear and conspicuous location at WLS and on the website. A copy will be provided to all employees.

## **ONGOING USE EVALUATION**

This Health Emergency Plan was developed as required by law with the health and safety of WLS's employees and community as the top priority.

The Health Emergency Plan will be evaluated annually by the Director and Board of Trustees and updated as needed.

Questions or concerns regarding Westchester Library System's Health Emergency Plan should be directed to the Executive Director.

ADOPTED by the Westchester Library System Board of Trustees \_\_/\_\_/2021

## Remote Work Policy

“Remote Work” is work performed in furtherance of routine duties at places other than the Westchester Library System (WLS)’s business address.

WLS uses three types of Remote Work:

1. When determined per American with Disabilities Act (ADA) regulations to be a reasonable accommodation
2. Remote Work during an emergency as described in Section I below
3. Remote Work as part of a routine “Remote Work Program” as described in Section II below

Remote Work as a reasonable accommodation is governed by the ADA and New York State Laws.

### SECTION I: REMOTE WORK DURING AN EMERGENCY

For purposes of this Policy, an “emergency” is determined solely by WLS.

Remote Work during an emergency is a temporary way to continue essential WLS operations and sustained service to member libraries. During an emergency, WLS may require employees to work remotely.

To the greatest extent possible during the emergency, WLS will use the guidelines in Section II to arrange Remote Work accommodations with employees. However, it will be understood that many employees may not have the ability to meet the requirements regarding a professional work environment in their home, and that factor will not be considered for performance evaluation purposes when the employee is required to work from home during an emergency. Further, typical eligibility requirements may be waived.

If a technical concern prohibits productive access to working remotely during scheduled worktime during an emergency, an affected employee must notify the Executive Director by telephone as soon as possible. An employee who has been required to work remotely should not report to the WLS site, even if there are technical concerns, unless directed to do so.

### SECTION II: REMOTE WORK PROGRAM

Working remotely can be beneficial for employees for a number of reasons. It can help employees balance their work/home life if they have long commutes, pre- or post-work activities, and can also enable employees to work from home when it is of benefit to WLS.

This program will be most successful for those employees who are self-disciplined and have a remote work environment free from distractions.

All remote work schedule/hours must be pre-approved by the Executive Director.

Working remotely is not a replacement for appropriate child or dependent care or for otherwise attending to personal needs or obligations. The focus of the arrangement must remain on job performance, meeting business demands or dates set by the Executive Director. Errands, home maintenance, and all other non-work-related activities are prohibited during the employee's work hours unless approved by a supervisor and accounted for appropriately on the employee's timesheet.

### Eligibility

The Executive Director will determine which roles within the organization are eligible for remote work. Recognizing that some roles require an employee to be present at WLS either at all times or on occasion, eligibility for remote work is not inherent to all positions.

### Equipment and Tools

WLS will provide the necessary tools/equipment for the employee to perform their duties. This may include computer hardware, computer software, email, voicemail, and other equipment. The employee must have access to high-speed Internet (i.e., minimum speed requirement is 10 MBPS (megabits per second) download speed and 5 MBPS upload speed).

Office supplies may be obtained at the WLS Business Office. Out-of-pocket expenses for office supplies will not be reimbursed unless approved by the Executive Director in advance and in writing. The use of equipment and software provided by WLS for use at the remote work location is limited to the employee for purposes relating to WLS business. All WLS provided equipment, data, information, and resources remain the property of WLS.

If the employee is unable to log into computer system or otherwise connect to required software within one hour during the scheduled work time, the employee must inform their supervisor and return to the office, except in the case of an Emergency as described in Section I of this policy. Failure to do so will result in an absence.

### Requirements

The employee will establish an appropriate work environment within their home for work purposes that is free from distractions. The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment.

Employees must ensure that service provided to member libraries, vendors and partners is not adversely affected. Remote work productivity and performance must be effective, and this policy should not create inequity for other employees. If performance standards are not being met by the individual or department, as observed by the Executive Director, the necessary changes to an individual or department schedule will be made, including but not limited to returning the individual to a schedule and work location that best serves the business needs of WLS.

Consistent with WLS's expectations of information security for employees working at the office, employees working from home will be expected to ensure the protection of WLS and member libraries and vendor information accessible from their home office. Steps may include use of locked file cabinets and desks, regular password maintenance, and any other steps appropriate for the environment.

Employees are expected to work their entire schedule and are required to record all hours worked and major tasks accomplished on a daily basis on the WLS timesheet.

### Maintaining a Professional Work Environment

Employees who participate in the Remote Work Program are expected to create a positive and professional experience for the member libraries. It is each employee's responsibility to ensure they have established a work area in the home that is free from domestic noise and interruptions during the full length of their assigned work day to be able to deliver exceptional customer service and a high-quality interaction.

During the course of verbal or video communication with member libraries, vendors, partners or other professional/business related entities, domestic noise and interruptions include, but are not limited to: TV, radio and other electronic noise emitting devices; audible household member conversations or activities; pet noise.

### Program Provisions

WLS reserves full discretion to amend, terminate, or suspend any and all provisions of the Remote Work Program.

### Performance Expectations & Evaluations

Employees participating in the Remote Work Program are to complete all assigned work according to procedures and expectations mutually agreed upon by the employee, the employee's supervisor and the Executive Director, and according to the job expectation and description.

A decline in performance may be grounds for removal from the Remote Work Program participation, and/or disciplinary action up to and including termination. Participating employees will be required to meet in the office as necessary, appropriate, or requested. This includes, but is not limited to, attending training sessions, participating in meetings, reviewing work products and performance, and receiving assignments.

### Liability and Worker's Compensation

The employee's home workspace will be considered an extension of the WLS's workspace. Therefore, WLS will continue to be liable for job-related accidents that occur in the employee's home workspace during the employee's working hours.

During work hours and while performing work functions in the designated work area of the home, employees are covered by worker's compensation. WLS assumes no liability for injuries occurring in the employee's home workspace outside the agreed-upon work hours.

WLS is not liable for loss, destruction, or injury that may occur in or to the employee's home. This includes family members, visitors, or others that may become injured within or around the employee's home.

In the event a job-related injury occurs during working hours at the employee’s home, the employee shall notify WLS as soon as possible, and in no event no later than 48 hours after the event occurred.

#### Income Tax

It will be the employee’s responsibility to determine any tax implications of maintaining a home office area for a not-for-profit employer. WLS will not provide tax guidance nor will WLS assume any additional tax liabilities. Employees are encouraged to consult with a qualified tax professional to discuss tax implications.

Adopted by the WLS Board of Trustees \_\_\_/\_\_\_/2021

DRAFT

**Item:** WLS Free Direct Access Plan

**Background:** As part of the development of the WLS Plan of Service 2022-2026 required by New York State Library Division of Library Development (DLD), the Free Direct Access Plan requires review.

**Status:** The current Free Direct Access Plan is attached and can be found on the [WLS website](#).

The document is being shared with the WLS Board and will be distributed to the Public Library Directors Association (PLDA) membership. Any questions and/or suggested changes are to be sent to Terry Kirchner, WLS Executive Director. A revised copy, if needed, will be shared with the Board.

Following the WLS Board's approval, the document will be submitted to PLDA at their April Meeting; and then it will be distributed to the member library boards for their review and approval. After a simple majority of library boards have approved the Free Direct Access Plan, the document will become an official part of the WLS Plan of Service 2022-2026, which is due to DLD by October 1, 2021.

February 23, 2021





**Westchester Library System  
Free Direct Access Plan for 2017-2021  
to Fulfill Commissioner's Regulation  
90.3 (a) through (d)(4)**

*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.*

The Westchester Library System's (WLS) service area is Westchester County. To be eligible for a system-wide borrower's card, individuals must live, work, go to school or own real property within a member library's chartered service area or a community that has contracted with a WLS member library.

Individuals should register for their borrower's card at the local library that serves the address where they live, work, go to school or own real property. For individuals meeting more than one of the eligibility requirements, the local library status will be determined based on the priority order of where they: (1) live, (2) work, (3) go to school, or (4) own real property. Member libraries shall require proof of eligibility before issuing a system-wide borrower's card.

The person to whom the borrower's card is issued, or their designated parent/guardian, assumes financial responsibility for its use, including all materials borrowed on that card. In no case shall more than one active system-wide borrower's card be issued to an individual.

Individuals residing in Westchester County but outside a member library's chartered service or contracted service areas will receive:

- Walk-in access to on-site materials at any member libraries;
- State-funded Central Library services;
- WLS website and online catalog services that do not require a library card.

As defined in Commissioner's Regulation §90.3 (a)(8) and required by §90.3 (d)(i), on-site use will be available to any Westchester County resident. However, the following limitations may be imposed as per Section (d)(2)(iii) of Commissioner's Regulation §90.3 and the Division of Library Development 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 in the use of computer and Internet resources.

An individual who lives outside of Westchester County and does not work, go to school or own property in Westchester may purchase a card from WLS.

The entitlement to library services and borrowing privileges outlined in this Free Direct Access Plan shall be forfeited by any individual who fails to observe the rules and regulations or follow the policies of WLS member libraries and/or the Westchester Library System.

*2. Describe (a) 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 (b) where a chartered and registered library was never a member of the system, will be served by the system.*

- In the event a library withdraws from WLS, residents of the affected area will continue to be entitled to on-site access as defined in Commissioner's Regulation §90.3 (a)(8) with the limitations specified in #1, above. Residents of such areas may continue on-site borrowing of WLS Central Library circulating materials purchased with state or federal funds.
- All registered and chartered public libraries in Westchester County are members of WLS.

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

In addition to excessive borrowing as described in #4 below, additional factors contribute to the inequitable overuse of a library by cardholders of other libraries and are considered serious inequities and hardships. Those factors which may be grounds for the request of a hardship waiver by the Commissioner include, but are not limited to, the following:

- A significant difference/shift in hours of operation, or any decrease that causes library hours to fall below the state-mandated minimum hours of operation;
- 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 Section 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 with a registered member library in accordance with Section 256 of the Education Law.
- When an unserved community has a population over 10,000 and has no equitable contract for library services.

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

Excessive out of service area borrowing occurs when 15% or more of the net difference of an on-site library's circulation is from non-residents, individuals not residing within the library's chartered or contracted service areas. Net difference is based on the number of "home library" items checked out at the circulation desk and does not include "intransit" items received from other member libraries.

*5. Unserved and Underserved Populations*

*a. Describe the unserved and the underserved populations within the system.*

Unserved areas in Westchester County include the Village of Elmsford, portions of the Town of Mamaroneck and the Town of Cortlandt (Lakeland School District). A member library currently contracts with each of these communities. The Ardsley Public Library serves the Village of Elmsford; The Larchmont Public Library serves the Town of Mamaroneck; and The Field Library of Peekskill, the Hendrick Hudson Free Library in Montrose, The John C. Hart Memorial Library in Yorktown and the Croton Free Library serve the Town of Cortlandt. Fire Protection District #1 in the Town of Bedford remains an unserved area and the Bedford Hills Free Library provides service to those residents.

At present there are no underserved areas. Residents living within chartered or contracted service areas are served by a member library that exceeds the minimum standards for service as defined in Commissioner's Regulation §90.2 or has been granted a waiver from specific standards by the State Education Department.

*b. 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.*

The criteria used are compliance with the minimum standards contained in New York State Education Law and New York State Commissioner's Regulation §90.2 as reported by member libraries on their annual report to the state.

*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.*

WLS provides ongoing outreach services to encourage and promote library usage to populations that do not typically use public libraries. WLS sponsors trustee training sessions that focus on advocacy techniques to gain increasing funding for their library and the communities they serve.

*d. Provide a timetable for such action:*

Ongoing

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

WLS and the member libraries

*6. Describe the conditions under which modifications to the free direct access plan can be made: (a) without the approval of the Commissioner; (b) with the prior approval of the Commissioner.*

a. Libraries that experience excessive out-of-chartered service area borrowing as defined in Section 4 above may, upon appropriate public notice and without further approval from WLS or the Commissioner of Education, may:

- (1) Place restrictions on the loan of library resources, said restrictions to be limited to non-print materials and equipment, and print materials less than one year from the acquisition date and purchased with local funds; and,
- (2) Place restrictions on attendance at library programs *due to lack of space or staffing to accommodate non-residents*, provided such programs are supported entirely by local funds;
- (3) Place restrictions on new or experimental collections;
- (4) Place restrictions due to the inability of neighboring libraries to provide reciprocity for borrowing similar high demand materials;

b. Further proposed restrictions to library service or access must be approved by a simple majority of member libraries and by the Westchester Library System Board of Trustees before transmission to the Commissioner of Education for approval. The request for restrictions must be accompanied by the following, in a form acceptable to the Division of Library Development:

- Documentation of the serious inequities and hardships affecting the resident borrowers of the member library making the request;
- A clear description of the proposed restrictions and modifications to this direct access plan being requested provided such modifications do not include charging for library services;
- Description of the anticipated impact on resident and non-resident borrowers after modification are approved and implemented;
- Provision of a time frame for the beginning and end of such restrictions and modifications to this direct access plan.

*7. 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.*

WLS and its member libraries are obligated to comply with this Free Direct Access Plan. The Plan of Service for WLS, of which this Free Direct Access Plan is a part, is a contract between the State Education Department and the Westchester Library System. As a condition of

System membership, the member libraries have agreed to comply with all Regulations of the Commissioner of Education.

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

A draft of the Plan was submitted by WLS to the Public Library Directors Association (PLDA) and the WLS Board of Trustees. PLDA was solicited for feedback on the Plan at their 2/18/16 meeting. The one suggested edit received was incorporated into the Plan and this revision was shared with PLDA at their 3/17/16 meeting. The WLS Board of Trustees approved the draft plan to be submitted to PLDA on 3/29/16. The Plan was then submitted to the Boards of the 38 member libraries. A simple majority of the 38 member libraries approved the Plan on 8/16/2016. The WLS Board of Trustees approved the Plan on 9/27/2016 and the Plan was submitted to Division of Library Development for approval by the Commissioner of Education.