

Item: WLS Maintenance of Effort Waiver

Background: The New York State Library Division of Library Development (DLD) conducts reviews of the Annual Reports submitted by public library systems and central libraries throughout the State. Part of the review process is to ensure that public library systems and central libraries are achieving local funding levels that meet the Maintenance of Effort (MOE) requirement. Should a public library system or central library fall below the MOE determined by the law, the State Aid to which such library system or central library would otherwise be entitled shall be reduced by 25% in the following aid year unless a waiver is requested.

Status: Under the Provisions of Education Law, a public library system may request a waiver from the Commissioner of Education. Upon receipt and review of legal documentation from the system, the Commissioner is authorized to waive the MOE requirement for a period of up to three calendar years. The MOE waiver process requires an explanation of why the triggering event occurred and what steps have been taken to address the cause of the MOE triggering event. The failure to meet the MOE requirement was triggered because the Mount Vernon Public Library's 2020 Annual Report has not yet been accepted and approved by DLD.

To address the cause of the MOE triggering event, The Field Library in Peekskill meets the requirements for a central library as defined in Commissioner's Regulation 90.4 and is on schedule to serve as the System's Interim Central Library. This designation would be in relation to WLS's Maintenance of Effort (MOE) waiver's two-year period, with a formal opportunity for restoration of Mount Vernon Public Library as the Central Library in Year 3.

The next step requires a vote by the WLS Board to update the 2022-2026 WLS Plan of Service to change the current designation under Question 1.14-Name of Central Library from Mount Vernon Public Library to The Field Library.

Following the Board Meeting, WLS will file the MOE waiver to the NYS Library Division of Library Development (DLD), under the Provisions of Education Law 272 (1)(j)(3).

Mount Vernon Public Library's 2020 Annual Report and Registration application have been submitted to DLD and are currently under review. WLS will continue to work with Director Timur Davis and his staff as well as DLD to bring this process to completion.

Recommended

Action: Approve change of Central Library designation on the 2022-2026 WLS Plan of Service as noted above.

April 26, 2022