

**SUFFOLK COOPERATIVE
LIBRARY SYSTEM**

*Resource
Sharing
Code*

ADOPTED 6/84

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12/22

SCLS RESOURCE SHARING CODE

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New York State Commissioner of Education's Regulation 90.3 (1-5)

SCLS RESOURCE SHARING CODE

(Adopted July 1, 1984; revised 12/4/85; 5/31/87, 6/30/89, 4/6/94, 5/1/96, 6/2/99, 7/18/01, 7/17/02, 9/5/07, 5/5/10, 12/3/14, 12/7/22)

INTRODUCTION

The Resource Sharing Code provides minimum standards for sharing of resources among Suffolk Cooperative Library System (SCLS) member libraries. However, libraries are encouraged to do more to facilitate resource sharing so that our patrons are well-served regardless of the library they are using.

Resource Sharing has three components:

Direct Access: cardholders of one library borrowing material in person from another SCLS member library that is not their home library.

Interlibrary Loan: cardholders borrowing materials obtained from other libraries, as a result of holds initiated by themselves or by the library.

III. In-library/On-site Use: any New York State resident using library resources on the premises of any SCLS member library.

I. DIRECT ACCESS

A. Member Library Responsibilities

1. Member libraries of the Suffolk Cooperative Library System (hereinafter referred to as SCLS) agree to make the resources of their collections available to any borrower possessing a valid full-service borrower's card in good standing issued by any member library of SCLS. A full-service borrower's card is a card issued by any member library to a resident of a community within the library's chartered service area or a borrowers card issued by any member library to a nonresident as part of a library service contract. The following restrictions apply to direct access borrowing at the discretion of each library:
 - a) Materials which do not circulate locally by reason of their inclusion in a special collection may be withheld from circulation to direct access borrowers.
 - b) Any material which is in high demand at the local library may be withheld from circulation to direct access borrowers.

- c) Materials which have been in a library's collection less than one year may be withheld from circulation to direct access borrowers.
 - d) A library may restrict direct access borrowing by residents of any individual library service area if this borrowing exceeds 3.5% of its annual circulation to local patrons or if its direct access circulation in the aggregate exceeds 7% of its local circulation. The SCLS direct access samples and the library's annual circulation for the previous six months as reported on SCLS circulation statistics shall be the basis for such a determination. Local circulation shall be defined for this purpose as the sum of a library's annual circulation plus the number of books borrowed by its resident card holders through direct access during the last sample period minus the number of books lent by the library to residents of other communities through direct access during the last sample period.
 - e) Each member library may deny local borrowing privileges of any delinquent direct access borrower, who after notice, fails to return overdue library material.
2. Each member library agrees to accept the initial responsibility for the recovery of any materials it lends through direct access borrowing. If materials are not returned to the lending library after due notice, each member library agrees to accept responsibility to assist the lending library in recovering materials not returned by its patrons borrowed through direct access.
 3. Each member library agrees to share with the home library and SCLS the name of any direct access borrower who, after due notice, has failed to pay for or return materials borrowed from that library.
 4. If a patron returns direct access material long overdue and the lending library has already been reimbursed there will be no refund of the reimbursement previously received.
 5. Each member library agrees that fines and charges for direct access borrowing will be the same as those levied for local borrowing.
 6. Each member library agrees that the loan period for local and direct access cardholders will be the same.
 7. Each member library agrees to share with other member libraries the delinquency status of its own patrons.

8. Each member library agrees to accept for return to the home library through the SCLS delivery any material belonging to any SCLS member library. The patron's responsibility for any materials ends once accepted for return by any SCLS member library.

B. SCLS Responsibilities

1. SCLS agrees to be responsible for the delivery of materials belonging to SCLS member libraries that have been returned to other member libraries. SCLS agrees to be financially responsible for any materials lost in transit.
2. SCLS agrees to maintain and update a Countywide patron database that is accessible by each member library.
3. SCLS agrees to tabulate direct access statistics annually and to provide a copy of this tabulation to each member library.
4. SCLS agrees to establish a contract fee which must be charged to any unserved contracting area. The contract fee shall equal the Countywide average per capita support of libraries. The fee is calculated each year based upon submissions in the most recently approved Annual State Reports and becomes effective July 1.

II. INTERLIBRARY LOAN

A. Member Library Responsibilities

1. Member libraries of the Suffolk Cooperative Library System agree to make available the resources of their collections, to other member libraries for loan to any patron possessing a valid full-service borrower's card in good standing.

A full-service borrower's card is a card issued by any member library to a resident of a community within the library's chartered service area or a card issued to a non-resident as part of a library service contract.

The following restrictions apply to interlibrary loan borrowing at the discretion of each library:

- a) Materials which do not circulate locally by reason of their inclusion in a special collection may be withheld from circulation to interlibrary loan borrowers.
- b) Any material which is in high demand at the local library may be withheld from circulation to interlibrary loan borrowers.

- c) Materials which have been in a library's collection less than one year may be withheld from circulation to interlibrary loan borrowers.
2. Each member library agrees to be responsible for materials borrowed through interlibrary loan and to make every effort to recover these materials and to assist the lending library in recovering materials not returned by its patrons borrowed through interlibrary loan.
3. Each member library agrees to honor the loan period for interlibrary loan materials stipulated by the lending library and to honor any use restrictions imposed by the lending library.

B. SCLS Responsibilities

SCLS agrees to be responsible for the delivery and return of materials borrowed through interlibrary loan. It agrees to be financially responsible for any interlibrary loan materials lost in transit.

III. IN-LIBRARY/ON-SITE USE

In-library/On-Site Use is governed by New York State Commissioner of Education's Regulation 90.3 (1-5). (Appendix I)

IV. SYSTEM-WIDE SERVICES

System-wide services, other than those mandated by New York State, shall be available only to patrons of fully participating libraries in the SCLS Service Program holding a full-service borrower's card in good standing.

V. MAINTENANCE OF UNION CATALOG and COUNTYWIDE PATRON DATABASE

A. Member Library Responsibilities

Each member library agrees to furnish SCLS with a copy of the bibliographic record of each title currently in its collection.

Each member library agrees to furnish SCLS with a copy of the patron record of each current cardholder.

B. SCLS Responsibilities

SCLS agrees to maintain and update a union catalog of materials held by the member libraries of the SCLS as required by New York State Commissioner of

Education's Regulation 90.3 and to provide access to this catalog to the member libraries.

SCLS agrees to maintain and update a Countywide patron database and to provide access to this database to the member libraries.

VI. CODE OBSERVANCE AND REVISION

A. Member Library Responsibilities

Each member library agrees that as a member of SCLS it will be bound by the terms of this agreement and by the terms of any subsequent agreement which is modified according to the provisions of paragraph V. B.

B. SCLS Responsibilities

SCLS agrees that it will review the Code regularly for the purpose of recommending to the member libraries any necessary changes in the Code. It agrees that any recommendations for changes to the Code are to be made to the member library Boards of Trustees and that no changes in the Code will be implemented without prior agreement of the Boards of Trustees of two-thirds of its member libraries.

APPENDIX I

§90.3 Approval of public library systems (revised May 18, 2009)

(a) Definitions

(b) A public library system may be approved for State aid under sections 272 and 273 of the Education Law if it complies with the provisions of the aforementioned sections of the Education Law and the provisions of this section.

(c) Full approval shall not be given to a public library system unless it will serve at least 200,000 people or 4,000 square miles of area. Provisional approval may be given to a public library system which will serve at least 50,000 persons, provided the area includes three or more political subdivisions, and provided further that a satisfactory plan is submitted for expansion of service during the ensuing five-year period.

(d) (1) In order to qualify for full approval, a public library system plan of service shall provide for:

(i) on site use, by all individuals residing within the boundaries of the public library system, of the total library resources within the system. No such individual shall pay a fee for such on-site use. No such individual shall be excluded from on-site use of the library resources of the system or any of its member libraries because of age, cultural, economic or civic status.

(ii) direct access, by all individuals residing within the boundaries of the public library system, to the library resources within the system, by acceptance of a borrower's card issued by the system or by any member library in the system. Such card shall be issued at no cost to the individual and shall be honored on the same basis as that specified for resident borrowers in each member library. No resident shall be excluded from direct access to the library resources of the system or any of its member libraries because of age, cultural, economic or civic status.

(iii) a procedure, whereby a member libraries may discuss, modify or amend the conditions, procedures, and agreed upon means of implementing, changing or altering the conditions of direct access within the system service area pursuant to paragraphs (2) and (3) of this subdivision. The system board of trustees, prior to submission of a plan of service for approval by the commissioner, shall by majority vote of the member libraries obtain ratification of the direct access provision. The plan shall be accompanied by a statement of agreement signed by the president of the public library system board of trustees and the presidents of the board of trustees of a majority of the member libraries.

(iv) an analysis of the library resources available to unserved and underserved populations residing within the system's boundaries in a format prescribed by the commissioner. Such analysis shall include, but shall not be limited to:

- (a) a description of the unserved and underserved populations residing within the system's boundaries;
- (b) a description of any deficiencies in library resources currently available to individuals residing within the system's boundaries;
- (c) a summary of recommended actions to expand the availability of library resources to unserved and underserved populations residing within the system's boundaries;
- (d) a timetable for taking action on recommendations; and
- (e) assignment of responsibilities for providing library resources to unserved and underserved populations.

(2) Subject to the approval of the majority of the member libraries, certain modifications to unrestricted direct access as described in subparagraphs (ii) and (iii) of this paragraph may be made without the approval of the commissioner. An approved plan of service must describe the conditions under which such modifications will be implemented. If such conditions change, the public library system shall submit an amendment of the plan of service to the department in a format and according to a timetable established by the commissioner. The plan shall describe the conditions under which registered member libraries:

(i) 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.

(ii) may place restrictions upon the loan of library resources. Such restrictions shall be limited to nonprint materials and equipment, and printed materials less than one year old, including fiction and nonfiction books and periodicals. Such materials must have been purchased from local funds.

(iii) may place restrictions upon attendance at library programs. If attendance must be limited, local residents may be given first access to them. Such programs must have been supported entirely from local funds.

(3) Subject first to the approval of the majority of the member libraries, and then to the approval of the commissioner, certain additional modifications to unrestricted direct access may be made for individual member libraries beyond those described in paragraph (2) of this subdivision. Such requests from individual libraries, once approved by the majority of the member libraries according to the procedures outlined in subparagraph (iii) of paragraph (1) of this subdivision, shall be submitted by the public library system to the commissioner for approval in a format and according to a timetable determined by the commissioner. The system board of trustees shall not unreasonably delay

consideration of transmission of a member library's request to the commissioner. No such request will be approved if it includes a fee or charge to an individual for a borrower's card. The request for approval of additional modifications to unrestricted direct access shall be in writing and shall include, but is not limited to, the following:

(i) documentation of the serious inequities and hardships affecting the resident borrowers of the member library making the request;

(ii) the proposed modifications to unrestricted direct access that will be implemented and a description of the anticipated impact on resident and non-resident borrowers;

(iii) a proposed timeframe within which such modifications will be in effect; and

(iv) recommendations for remedying the underlying inequity with a proposed timetable for action.

(4) Provisional approval may be granted, provided that each member library of the system shall have the right to borrow for one or more of its cardholders from any other member library of the public library system any book or other material on the same basis as that provided by the lending member library applicable to its resident cardholder.

(5) The provisional approval of a public library system may be extended by the commissioner for a period of not more than three years after the expiration of the original five-year period, upon satisfactory proof that immediate full compliance with paragraph (1) of this subdivision would result in specific extreme hardship to such system or its participating libraries and upon the condition that such public library system submit to the commissioner, prior to such extension, a satisfactory plan for compliance with paragraph (1) of this subdivision within the period of such extension. As a further condition of such extension, the commissioner may require a demonstration by the public library system of free access to a portion of the population served by such system. Each such library system shall annually submit a report of progress toward full compliance with paragraph (1) of this subdivision.