

NYS Regulations Pertaining to the 3R Councils (General)

§90.5 Reference and research library resources systems

(a) Governance. (1) The trustees shall **employ a full-time director** who is a **trained professional librarian** and who has had at least **eight full years of professional library experience**, at least **two years of which shall have been in an administrative capacity**, or equivalent experience as determined by the commissioner, and who holds, or is eligible for, certification under section 90.7 of this Part.

(2) Prior to commencement of his or her duties, the treasurer of a reference and research library resources system, appointed pursuant to paragraph (1) of subdivision (c) of section 90.6 of this Part, shall execute and file with the trustees an official undertaking in such sum as the board shall direct and approve.

(b) Membership. (1) Criteria.

(i) Each reference and research library resources system **shall file with the commissioner** for his approval, as an amendment to its plan of service, **its minimum criteria for membership**.

(ii) Each reference and research library resources system shall file with the commissioner for his approval, as an amendment to its plan of service, **each new application for membership** in the reference and research library resources system.

(iii) Each reference and research library resources system petitioning the commissioner for approval of a plan of service amendment to add a new member shall demonstrate **how such new member will improve the library resources presently available to the research community in the area of the system and/or will bring improved reference and research services to the users of such new member**.

(iv) Each reference and research library resources system **shall include all public library systems** which provide service within the area served by the system and which have applied for membership and **all school library systems** some part of which falls within the area served by the system and which have applied for membership.

(v) Each reference and research library resources system may also **include public, school, free association, and Indian libraries, libraries of educational agencies, libraries of nonprofit organizations, and other special libraries** that provide service within the area served by the system, **provided they meet the criteria for membership** as contained in an amendment to the system plan of service approved by the commissioner pursuant to subparagraph (i) of this paragraph **except that no public, free association or Indian library which is not a member of a public library system or school library which is not a member of a school library system shall be eligible for membership in a reference and research library resources system**.

(vi) Provisional approval of any new member of a reference and research library resources system may be given during the period December 31, 1980 to December 31, 1982, subject to review and redetermination after December 31, 1982.

(2) Voting. **Each member institution** of a reference and research library resources system shall **have one vote in the election of each trustee at the annual meeting**, and each member institution shall designate an official representative who shall have the authority to cast the member institution's vote.

(c) Plan of service.

(1) Each reference and research library resources system shall submit for approval by the commissioner a plan of service in a form to be prescribed by him. Such plan shall be revised periodically as determined by the commissioner.

(2) In addition to the information required by paragraph d of subdivision 2 of section 272 of the Education Law, **the plan shall include**, but need not be limited to:

(i) a **description of regional resources**, including their variety in format and subject matter;

(ii) **a description of programs** to meet needs in services, materials and facilities;

(iii) a description of the **system's efforts to fully use local responsibility, initiative and support of library services**, and the manner in which State aid will assist their stimulation but not be used as their substitute;

(iv) an **assurance that public funds will be utilized economically and efficiently**;

(v) the means by which the system will assure **compatibility of its computerized and other technical operations with those of other library systems** in the State and the New York State Library;

(vi) **the identification of special client groups**, their needs, and the means for meeting these needs;

(vii) a **description of the means for locating library materials** within the system area and the **procedures for accepting, verifying and responding to loan requests, including delivery**;

(viii) an indication that the plan is compatible with the approved plans of service of other library systems in the region, as demonstrated by **evidence of appropriate consultation with public library systems, school library systems and the regional intersystem cooperative network**; and *(out-dated ... JLS)*

(ix) evidence that service programs are **compatible with the Regional Medical Library Network or other special library networks** which also serve member libraries.

(3) **Any contract relating to library services into which the system enters with its member libraries, other library systems, consortia or networks shall be considered an amendment to the plan of service, and shall be subject to the prior approval of the commissioner.**

(d) Reports. **No later than September first**, each reference and research library resources system shall transmit to the department, on forms prescribed by the commissioner, **an annual report** for the 12-month period ending the previous June 30th.

Section statutory authority: Education Law, § 272

Statutory authority: Education Law, §§ 207-208, 215, 253-268, 271-273, 273-a, 282, 284, 283, 285; L. 1978, ch. 787, L 1993 Ch 260, §§ 1, 3

