

PUBLIC LIBRARY DISTRICTS

What they are

&

How they are created

WHAT IS A PUBLIC LIBRARY DISTRICT?

A public library that:

- Obtains a substantial amount (60% or higher) of its operating budget through direct public vote.
- Has a board of trustees that is elected by eligible voters within the library's service area.
- Presents an annual budget for public vote which would enable the library to meet or exceed minimum standards and carry out its long-range plan of service

WHY GO FOR PUBLIC
VOTE?

LET THE PUBLIC DECIDE



WHY CREATE PUBLIC LIBRARY DISTRICTS?

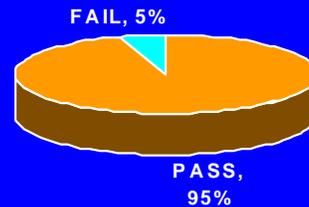
- Funding is more predictable and steady
- Increased autonomy and control by library boards
- Library is more “accountable” to public
- More ownership by community
- Simplified funding stream

WHY CREATE PUBLIC LIBRARY DISTRICTS?

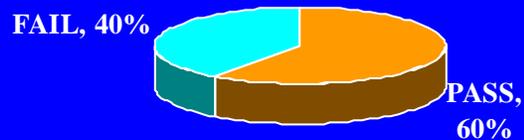
- Potential for offering enhanced services to the community
- Potential to eliminate pockets of “unserved” areas & expand library tax base
- Potential to “bond” for capital projects – improved facilities
- Potential to qualify for state incentives

THE ODDS ARE WITH YOU

- More than 95% of library district budget votes are approved each year



- More than 60% of propositions to create new library districts are approved each year



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KNOWING YOUR OPTIONS

&

HOW TO DO IT

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PUBLIC LIBRARY DISTRICT OPTIONS

- 1. SCHOOL DISTRICT PUBLIC LIBRARY**
- 2. SPECIAL LEGISLATIVE DISTRICT PUBLIC LIBRARY**
- 3. ASSOCIATION LIBRARY DISTRICT**

SCHOOL DISTRICT

PUBLIC LIBRARY

SCHOOL DISTRICT PUBLIC LIBRARY

- Created by voters of the school district by approving a proposition on the school ballot. Proposition also specifies budget and trustees to be elected
- Boundaries of library must mirror the boundaries of school district
- Once measure passes, the old library is dissolved with assets being transferred to the new entity, which must be chartered by the Board of Regents
- Library operates independently from school district

School District Public Library

Steps for Creating

1. Library notifies the New York State Library's Division of Library Development & Library System and retains legal counsel and other expertise
2. The board of education receives petitions to create library (25 signatures) and nominate trustees (25 signatures or 2% of voters in last election)
3. Board of education puts the questions of establishment, budget and election of trustees before the voters at the next school district meeting or schedules a special meeting for that purpose
4. Campaign to support the proposition to establish and fund the library conducted. No public funds may be used to advocate for passage
5. After election, board of education certifies results, showing the number of votes cast for and against establishment of library and proposed budget, and for each candidate for the library board of trustees.

School District Public Library

Steps for Creating (cont.)

6. If resolution passes, elected trustees take office and within one month file for charter
7. If the new library district replaces an existing library, the old library is dissolved by submitting paperwork to Regents and assets transferred to new entity
8. Once Charter is received, Library Board applies for registration
9. School District will collect the tax money and turn funds over to new Library Board. School Board has no control over Library
10. Annual funding remains unchanged until library board places proposition on ballot to increase the amount. Library Board can set the time and place for future budget votes

SCHOOL DISTRICT PUBLIC LIBRARIES

Advantages

- Potential to increase tax base and reduce unserved areas
- Library is independent - separate from Municipality & School District
- Elected trustees provide “representation” for taxpayers
- Opportunity to place bonding resolutions on ballot for capital projects
- Once established, library can set time and place for election
- Library has consistent funding stream – funding level continues until voters approve new amount
- Straightforward process for seeking increase

SCHOOL DISTRICT PUBLIC LIBRARIES

Considerations

- If there is an increase in the number of people served, the library may be required to meet a higher level of minimum State Standards for public libraries
- Trustees are subject to election
- Requires strong education & advocacy effort
- Once created, library must comply with Civil Service and other laws affecting public entities

SPECIAL LEGISLATIVE

DISTRICT

PUBLIC LIBRARY

Special Legislative District Public Library

- State legislation authorizes local election to establish and fund a new library, specifies library service area and process for electing trustees and bonding for capital projects
- Once state bill is passed, local election held to create the library, approve an initial budget and elect trustees
- If voters authorize the creation of the district, the old library is dissolved with assets being transferred to the new entity, which must be chartered by the Board of Regents
- New entity is separate from any municipality
- Municipality collects the taxes authorized by the vote and turns money over the library
- Library has ability to place bonding propositions on ballot for capital improvements

Special Legislative District Public Library steps for creating

1. Library notifies the New York State Library's Division of Library Development & Library System and retains legal counsel and other expertise
2. Existing Library Board defines desired service area and other features of proposed district, establishes timetable
3. Library Board discusses plans with local elected and appointed officials – seeks support
4. State Legislator recruited to draft and introduce legislation authorizing local vote to create library
5. If required by legislator, “home rule” letters requested from affected municipalities
6. Bill introduced – co-sponsors recruited

Special Legislative District Public Library: steps for creating (cont)

7. When bill passes, local referendum can be scheduled to create and fund the library district and elect trustees
8. Candidates recruited to run for trustee positions
9. Campaign conducted to support proposition – no public funds can be used to advocate for passage
10. If vote is successful, newly elected trustees file for Charter within 30 days
11. If the new library district replaces an existing library, the old library is dissolved by submitting paperwork to Regents and assets transferred to new entity
12. Once Charter is received, Library Board applies for registration

SPECIAL LEGISLATIVE DISTRICT PUBLIC LIBRARY Advantages

- Service areas can be freely drawn to mirror usage patterns
- Best opportunity to eliminate unserved areas & equalize support
- Potential for enabling bonding for capital projects
- Library can set time & place for initial and succeeding votes
- Stable funding – once budget approved by voters - cannot be reduced
- Library is independent from municipalities & school district
- Elected trustees provide “representation” for taxpayers
- Straightforward process for seeking increase

SPECIAL LEGISLATIVE PUBLIC LIBRARY DISTRICTS Considerations

- Library responsible for running local election
- Trustees are subject to election
- Requires strong education & advocacy effort
- Once created, library must comply with Civil Service & public procurement laws and regulations
- If there is an increase in the number of people served, the library may be required to meet a higher level of minimum State Standards for public libraries

ASSOCIATION LIBRARY

DISTRICT

ASSOCIATION LIBRARY DISTRICT

- Option available to libraries currently chartered as Association libraries
- Substantial amount of operating budget (60%) must come from municipal or school district ballot (NY Ed Law, Chapter 259(1)(2))
- Bylaws must provide for election of trustees by eligible voters within library service area
- Library must present an annual budget for public vote which would enable the library to meet or exceed minimum standards and carry out its long-range plan of service

ASSOCIATION LIBRARY DISTRICT

Advantages

- Does not require re-chartering – short timeline
- Library can retain Association Library status – no civil service or municipal purchasing requirements
- Budget appeal can be made directly to the public
- Library has stable funding stream
- Counter propositions cannot be placed on ballot to lower the library's budget

ASSOCIATION LIBRARY DISTRICT Considerations

- Does not address “unchartered” service areas
- Library cannot place proposition on ballot to bond for capital projects
- If municipal ballot is used, petition process must be repeated if library wishes to increase amount
- If school ballot used, School Board sets time and place for the election

CREATING PUBLIC LIBRARY DISTRICTS

Where to start

- Survey the community re: library services
- Update Long Range Plan based on survey data
- Select appropriate Public Library District model
- Develop timeline and implementation plan
- Retain legal counsel & other expertise
- Develop strong advocacy and education plan
- For more information – visit the New York State Library’s web site: www.nysl.nysed.gov/libdev/ and contact your Library System

CREATING PUBLIC LIBRARY DISTRICTS

Potential Issues

- Transfer of Assets
- Election to create district – held separate or with school district or municipal election?
- Budget for transition
- Public acceptance of new district boundaries

CREATING PUBLIC LIBRARY DISTRICTS

Potential Expenses

- Legal Counsel
- Library Consultant
- Marketing Consultant
- Publicity & paid ads
- Asset transfer & dissolution

CREATING PUBLIC LIBRARY DISTRICTS

Moving ahead

- Select appropriate option
- Notify System and New York State Library's Division of Library Development
- Identify planning/transition team
- Develop timeline for implementation
- Determine need for legal and/or consultant support
- Develop budget for transition
- Solicit support from elected and appointed officials and community leadership
- Make decision to move forward