

Return this form by email to  
the New York State Library at:  
[MINSTAN@nysed.gov](mailto:MINSTAN@nysed.gov)

## Variance Request Form



### Commissioner's Regulation 90.2 - Standards for Registration of Public, Free Association and Indian Libraries

**Instructions:** Use this form to request a variance from the requirements of Commissioner's Regulations 90.2. Standards for Registration of Public, Free Association and Indian Libraries (effective January 1, 2021). **If the library is not in compliance with one or more of these Standards, request a variance on a separate form for each standard with which the library fails to comply.** The Library Director, the Library Board President, the System Director and the System Board President sign each variance request form. Attach any information that will strengthen the request. The library system submits all variance request forms to Library Development. No variance granted by Library Development shall be deemed to relieve a public, free association or Indian library of any obligation imposed by any other provision of federal or state law.

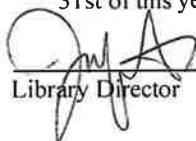
**1. Library Information** (Name of library, contact person, phone number)

D. R. Evarts Library  
Julian Giarraputo, Director  
(518) 945-1417

- 2a. Request for Variance from Standard Number:** 8  
**b. What is current status? (Please attach explanation.)**

**3. Circumstances Over Which the Library Has No Control That Are Barriers to Compliance.** Explain in detail on a separate sheet the circumstances that prevent the library from meeting this standard of service as set forward in *Commissioner's Regulations 90.2*. Attach documentation to demonstrate that the library has no control over the circumstances.

**4. Plan for Compliance.** Describe in detail on a separate sheet the library's plan for meeting this requirement before December 31st of this year. **(Please attach documentation.)**

  
Library Director

4/22/24  
Date

  
Library Board President

4/23/2024  
Date

**System Comment and Review:** Variance request

\_\_\_\_\_ may be approvable \_\_\_\_\_ may not be approvable  
**(Please include explanation.)**

This variance request was reviewed at the \_\_\_\_\_ meeting of the Board of Trustees of  
(Month/Day)  
the \_\_\_\_\_ System.

\_\_\_\_\_  
System Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
System Board President

\_\_\_\_\_  
Date

FOR SED USE ONLY: \_\_\_ Variance request is approvable; Variance granted until: \_\_\_\_\_  
(Month/Day/Year)

\_\_\_ Variance request is not approvable because:

Reviewed By: \_\_\_\_\_

|    |  |
|----|--|
|    | the understanding of library services, operation and governance; information provided online shall include the standards in paragraphs (1) through (5) of this subdivision;  |
| 12 | Employs a paid director in accordance with the provisions of section <a href="#">90.8</a> of the Regulations of the Commissioner of Education  |
| 13 | Provides library staff with annual technology training, appropriate to their position, to address community needs, as outlined in the library's long-range plan of service; and  |
| 14 | Establishes and maintains partnerships with other educational, cultural or community organizations which enable the library to address the community's needs, as outlined in the library's long-range plan of service. |

## **Library Standards Variance**

*Standard #8: Maintains a facility to meet community needs, as outlined in the library's long-range plan of service, including adequate space, lighting, shelving, seating, power and data infrastructure, and a public restroom.*

The D.R. Evarts Library is currently unable to provide programming to address all community needs due to its inaccessibility; any mobility challenged residents or caregivers with strollers are unable to participate in our extensive calendar of programs at the library because they can't access the building.

Over the past six years, we have been working feverishly toward our goal of library accessibility for all. We have made progress with renovations of an accessible restroom and built an exterior ramp. However, the ramp currently leads to nowhere as the planned small addition with an elevator construction has yet to be completed. Indispensably together, the ramp, addition, & elevator would allow all patrons access to our library as well as our program room.

We have been determined to find the funding needed to make the D. R. Evarts Library able to offer its programs to all its residents. Unfortunately, the skyrocketing costs of the pandemic have set us back. After frantically fundraising to build up matching capital funds for the library construction grant to cover the cost of the construction necessary to make our library accessible, we are finally going to bid. We plan to start construction in 2024 and aim for its substantial completion in 2025, at which point the Library will be able to confidently answer "Yes" to Standard #9.

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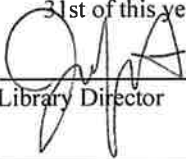
**1. Library Information** (Name of library, contact person, phone number)

D. R. Evarts Library  
Julian Giarraputo, Director  
(518) 945-1417

**2a. Request for Variance from Standard Number:** 9  
**b. What is current status? (Please attach explanation.)**

**3. Circumstances Over Which the Library Has No Control That Are Barriers to Compliance.** Explain in detail on a separate sheet the circumstances that prevent the library from meeting this standard of service as set forward in *Commissioner's Regulations 90.2*. Attach documentation to demonstrate that the library has no control over the circumstances.

**4. Plan for Compliance.** Describe in detail on a separate sheet the library's plan for meeting this requirement before December 31st of this year. (Please attach documentation.)

  
Library Director

4/22/24  
Date

  
Library Board President

4/23/2024  
Date

**System Comment and Review:** Variance request

\_\_\_\_\_ may be approvable \_\_\_\_\_ may not be approvable  
(Please include explanation.)

This variance request was reviewed at the \_\_\_\_\_ meeting of the Board of Trustees of  
(Month/Day)  
the \_\_\_\_\_ System.

\_\_\_\_\_  
System Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
System Board President

\_\_\_\_\_  
Date

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(Month/Day/Year)

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Reviewed By: \_\_\_\_\_

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| 13 | Provides library staff with annual technology training, appropriate to their position, to address community needs, as outlined in the library's long-range plan of service; and  |
| 14 | Establishes and maintains partnerships with other educational, cultural or community organizations which enable the library to address the community's needs, as outlined in the library's long-range plan of service. |

## **Library Standards Variance**

*Standard #9: Provides programming to address community needs, as outlined in the library's long-range plan of service.*

The D.R. Evarts Library is currently unable to provide programming to address all community needs due to its inaccessibility; any mobility challenged residents or caregivers with strollers are unable to participate in our extensive calendar of programs at the library because they can't access the building.

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