

CHARLOTTE VALLEY CENTRAL SCHOOL

ACCESS TO RECORDS UNDER PUBLIC OFFICERS LAW ARTICLE 6

1. Chief Executive's Duties.

The Chief Executive Officer shall be responsible for insuring compliance with these regulations and shall designate one or more persons as Records Access Officer by name or by specific job title and business address who shall have the duty of coordinating the District's response to public requests for access to records.

2. Records Access Officer.

The Records Access Officer is responsible for assuring that district personnel:

- a. Maintain an up-to-date subject matter list.
- b. Assist the requester in identifying requested records, if necessary.
- c. Upon locating the records, take one of the following actions:
 - i. Make records promptly available for inspection; or,
 - ii. Deny access to the records in whole or in part and explain in writing the reasons therefore.
- d. Upon request for copies of records:
 - i. Make a copy available upon payment or offer to pay established fees, if any; or,
 - ii. Permit the requester to copy these records.
- e. Upon request, certify that a transcript is a true copy of records copied.
- f. Upon failure to locate records, certify that:
 - i. The District is not the legal custodian for such records;
 - ii. The records of which the District is a legal-custodian cannot be found after diligent search.

3. Location.

The District records shall be available for public inspection and copying at (here fill in location).

4. Hours For Public Inspection.

The District shall accept requests for public access to records and produce records during all hours the District offices are regularly open for business.

5. Requests for Public Access to Records.

- a. Where request for records is required, such request may be oral or in writing. However, a

written request shall not be required for records that have been customarily available without written request. Requests will be accepted by e-mail.

- b. A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records shall supply information regarding dates, file designations or other information that may help to describe the records sought.
- c. If a record sought cannot be supplied within five business days of receipt of a request, the District shall furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within ten business days after the date of acknowledgment of receipt of the request, the request may be construed as a denial of access that may be appealed.
- d. The District shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to Public Officers Law, Section 87-2.
 - i. The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
 - ii. The subject matter list shall be updated not less than twice per year. The date of the most recent updating shall appear on the first page of the subject matter list.
- e. No records may be removed by the requester from the office where the record is located without the permission of the Chief Executive Officer.

6. Denial of Access of Records.

- a. The District Board President shall hear appeals for denial of access to records under the Freedom of Information Law.
- b. Denial of access shall be in writing stating the reason therefore and advising the requester of his right to appeal to the Board President, who shall be identified by name, business address and business telephone number.
- c. If the District fails to provide requested records promptly as required by Sections, such failure shall be deemed a denial of access by the District.
- d. Any person denied access to records may appeal within 30 days of denial.
- e. The time for deciding the appeal by the Board President shall commence upon receipt of written appeal identifying:
 - i. The date and location of request for records;
 - ii. The records to which the requester was denied access; and
 - iii. The name and return address of the requester.
- f. The District shall transmit to the Committee on Public Access to Records, copies of all appeals upon receipt of an appeal. Such copies shall be addressed to:

Committee on Public Access to Records

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Department of State
162 Washington Avenue
Albany, NY 12231

- g.** The School Board President shall inform the requester and the Committee on Public Access to Records of his decision in writing within seven business days of receipt of an appeal. The determination shall be transmitted to the Committee on Public Access to Records in the same manner as set forth in subdivision f of this section.
- h.** A final denial of access to a requested record shall be subject to court review, as provided in Article 78 of the Civil Practice Law and Rules.

7. Fees.

- a.** There shall be no fee charge for the following:
 - i.** Inspection of records;
 - ii.** Search for records; or,
 - iii.** Any certification pursuant to this bylaw.
- b.** A charge for copies of records shall be as follows:
 - i.** The fee for copying records shall be \$.25 per page for photocopies not exceeding 9 x 14 inches.
 - ii.** The fee for copies of records not covered by paragraph i above shall not exceed the actual copying cost which is the average unit cost for copying a record, excluding fixed cost of the District, such as operators' salaries.

8. Public Notice.

The District shall publicize by publication in the local newspaper having general circulation in the District:

- a.** The location where public records shall be made available for inspection and copying.
 - b.** The name, title, business address and business telephone number of the designate Records Access Officer.
 - c.** The right to appeal by any requester denied access to a record for whatever reason and the name and business address of the person to whom an appeal is to be directed.
- 9.** The bylaw previously adopted in accordance with Article 6 of the Public Officers Law (Freedom of Information Law) is hereby revoked.

CHARLOTTE VALLEY CENTRAL SCHOOL DISTRICT

**PUBLIC NOTICE IN ACCORDANCE WITH THE REGULATIONS OF
THE COMMITTEE ON PUBLIC ACCESS TO RECORDS**

- I. The location where records shall be made available for inspection and copying is:

Charlotte Valley Central School
15611 State Highway 23
Davenport, New York 13750

- II. The records access officer is:

Mr. Edgar E. Whaley, Principal
Charlotte Valley Central School
15611 State Highway 23
Davenport, New York 13750
(607) 278-5511

- III. A person denied access to a record for whatever reason shall have the right to appeal in accordance with the bylaw of the District. The name and address of the appeal officer is:

Mr. Gary Gundlach, President
Charlotte Valley Central School
Board of Education
15611 State Highway 23
Davenport, New York 13750
(607) 278-5511

Charlotte Valley Central School - Revised Policy #5

Adopted, readopted or revised by the Board of Education on: July 03, 2008

By: _____
Clerk of the Board of Education