

THREE VILLAGE CENTRAL SCHOOL DISTRICT

SCHOOL DISTRICT RECORDS FOR PUBLIC ACCESS

[PLEASE REFER TO THE DISTRICT POLICY MANUAL FOR A COMPLETE COPY OF POLICY 1120; REGULATIONS AND EXHIBITS](#)

Definition of Records

1. A record is defined as any information kept, held, filed, produced or reproduced by, with or for the district in any physical form whatsoever, including but not limited to reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or disks, rules, regulations or codes.

Access to Records

1. Time and place records may be inspected: Records may be requested from, and inspected or copied at, the Office of the Records Access Officer, by appointment after the records have been made available and on days in which the District offices are open. Records may also be requested via e-mail. E-mail requests will be made to the Records Access Officer
2. Fees: The fee for documents up to 9 x 14 inches is 25 cents per page. For documents larger than 9 x 14 inches, tape or cassette records, or computer printouts, the cost will be based on the cost of reproduction or program utilized. Fees are subject to periodic review and change. However, no fee shall be charged for records sent via e-mail, the search for or inspection of records, certification of documents, or copies of documents which have been printed or reproduced for distribution to the public.
3. Procedures: Requests to inspect or secure copies of records shall be submitted in writing, either in person, by mail or via e-mail, to the Records Access Officer.
4. All requests for information shall be responded to within five business days of receipt of the request. If the request cannot be fulfilled within five business days, the Records Access Officer shall acknowledge receipt of the request and advise the approximate date when the request will be granted or denied.
5. If a request cannot be granted within 20 business days from the date of acknowledgement of the request, the District must state in writing both the reason the request cannot be granted within 20 business days, and a date certain within a reasonable period when it will be granted depending on the circumstances of the request.
6. Denial of Access: When a request for access to a public record is denied, the Records Access Officer shall indicate in writing the reasons for such denial, and the right to appeal.
7. Appeal: An applicant denied access to a public record may file an appeal by delivering a copy of the request and a copy of the denial to the Superintendent within 30 days after the denial from which such appeal is taken.

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8. The applicant and the New York State Committee on Open Government will be informed of the Superintendent's determination in writing within 10 business days of receipt of an appeal. The Superintendent shall transmit to the Committee on Open Government photocopies of all appeals and determinations.

Records Exempted from Public Access

The provisions of this regulation relating to information available for public inspection and copying shall not apply to records that:

1. are specifically exempted from disclosure by state and/or federal statute;
2. if disclosed would constitute an unwarranted invasion of personal privacy;
3. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
4. are trade secrets or submitted by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise.
5. are compiled for law enforcement purposes and which, if disclosed, would:
 - a. interfere with law enforcement investigations or judicial proceedings;
 - b. deprive a person of a right to a fair trial or impartial adjudication;
 - c. identify a confidential source or disclose confidential techniques or procedures, except routine techniques or procedures; or
 - d. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
6. records which if disclosed would endanger the life or safety of any person;
7. records which are interagency or intra-agency communications, except to the extent that such materials consist of:
 - a. statistical or factual tabulations or data;
 - b. instructions to staff which affect the public;
 - c. final Board policy determinations; or
 - c. external audits, including but not limited to audits performed by the comptroller and the federal government;
8. records which are examination questions or answers that are requested prior to the final administration of such questions;
9. records which are computer access codes.

Prevention of Unwarranted Invasion of Privacy

To prevent an unwarranted invasion of personal privacy, the Records Access Officer may delete identifying details when records are made available. An unwarranted invasion of personal privacy includes but shall not be limited to:

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1. disclosure of confidential personal matters reported to the Board which are not relevant or essential to the ordinary work of the Board;
2. disclosure of employment, medical or credit histories or personal references of applicants for employment, unless the applicant has provided a written release permitting such disclosures;
3. sale or release of lists of names and addresses in the possession of the Board if such lists would be used for private, commercial or fund-raising purposes;
4. disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such records are not relevant or essential to the ordinary work of the Board; or
5. disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility.

Unless otherwise deniable, disclosure shall not be construed to constitute an unwarranted invasion of privacy when identifying details are deleted, when the person to whom records pertain consents in writing to disclosure, or when upon representing reasonable proof of identity, a person seeks access to records pertaining to him or her.

Revised: November 2010

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APPLICATION FOR PUBLIC ACCESS TO RECORDS

(Via Mail or E-Mail)

Note to the public: This form's language is optional but may enhance your use of the Freedom of Information Law. You may choose to utilize certain portions that are most applicable to your request. You may cut and paste the entire form into a new e-mail, read all provisions, and delete and/or modify those that do not apply. The subject line of your request should be "FOIL Request".

Three Village Central School District
Records Access Officer
PO Box 9050
East Setauket NY 11733
recordsaccess@3villagecsd.org

Dear Records Access Officer:

1. Please e-mail/mail the following records if possible [include as much detail about the record as possible, such as relevant dates, names, descriptions, etc.]:
2. Please advise me of the appropriate time during normal business hours for inspecting the following records prior to obtaining copies [include as much detail about the records as possible, including relevant dates, names, descriptions, etc.]:
3. Please inform me of the cost of providing paper copies of the following records [include as much detail about the records as possible, including relevant dates, names, descriptions, etc.].
4. If all the requested records cannot be e-mailed/mailed to me, please inform me by e-mail/mail of the portions that can be e-mailed/mailed and advise me of the cost for reproducing the remainder of the records requested (\$0.25 per page or actual cost of reproduction).
5. If the requested records cannot be e-mailed/mailed to me due to the volume of records identified in response to my request, please advise me of the actual cost of copying all records onto a CD or floppy disk.
6. If my request is too broad or does not reasonably describe the records, please contact me via e-mail/mail so that I may clarify my request, and when appropriate inform me of the manner in which records are filed, retrieved or generated. If it is necessary to modify my request, and an e-mail/mail response is not preferred, please contact me at the following telephone number: _____.

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7. If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name, address and e-mail address of the person or body to whom an appeal should be directed.

Superintendent of Schools
Three Village Central School District
PO Box 9050
East Setauket NY 11733
superintendent@3villagecsd.org

Revised: November, 2010

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APPLICATION FOR PUBLIC ACCESS TO RECORDS

(In-Person or U.S. Mail)

TO: **RECORDS ACCESS OFFICER**
Three Village Central School District
PO Box 9050
East Setauket NY 11733-9050

I hereby apply to () inspect only or () inspect and request reproduction, of the following record(s) and understand that the request may be subject to fees outlined below *(continue on back if needed)*:

- Fees for documents up to 9 x 14" = \$.25per copy
- Pursuant to Chapter 223 of Public Law, this agency may charge for the retrieval and duplication of documents for time exceeding two hours if applicable. You will be advised prior to completing the records request if a determination has been made that your request is subject to these charges.
- Fees are subject to periodic review and change as determined by Public Law..

NAME OF APPLICANT: _____ PHONE #: _____
(Please Print)

ADDRESS: _____

IN ACCORDANCE WITH PUBLIC INFORMATION LAW §89(2)(b) I CERTIFY THAT THE INFORMATION REQUESTED WILL NOT BE USED FOR ANY COMMERCIAL OR FUND RAISING PURPOSES.

SIGNATURE: _____ DATE: _____

* * * * *

I hereby acknowledge receipt of the reproduction of records.

SIGNATURE: _____ DATE: _____

FOR OFFICE USE ONLY

() Approved

Denied (for the reason(s) below)

- () Confidential disclosure
- () Part of investigatory files
- () Unwarranted invasion of personal privacy
- () Record of which this agency is legal custodian cannot be found
- () Record is not maintained by this agency
- () Exempted by statute other than the Freedom of Information Act
- () Inter agency or intra agency materials which are not; statistical or factual tabulations or data.
- () Other (specify)

SIGNATURE: _____ TITLE: _____ DATE: _____

You have 30 days from receipt of a denial of access to records or portions thereof to appeal to:

Superintendent of Schools
Three Village Central School District
PO Box 9050
East Setauket NY 11733
superintendent@3villagecsd.org

Revised: November, 2010