

## Freedom of Information Policy

The **Rosalyn Yalow Charter School** (the “School”) is subject to, and adopts this policy in compliance with, Article 6 of the New York Public Officers Law, pursuant to Education Law § 2854(1)(e).

### Requests for Information

Requests for public information must be in writing and submitted to the School's Records Access Officer (the Director of Operations, or such other person designated by the Executive Director). Upon the receipt of a request for School records and information, the request will be responded to in the following manner:

1. Within five business days of receipt of a written request, the School shall, depending on the requested information, either make the information available at the School's principal location during normal business hours to the person requesting such information, deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date, which shall be reasonable under the circumstances, for when the request will be granted or denied.
2. If the School determines to grant access to the requested information, and if circumstances prevent disclosure to the person making the request within 20 business days of the acknowledgment of receipt of the request, the School shall state, in writing, both the reason for the delay and a date certain, within a reasonable period of time, depending on the circumstances, when the request will be granted in whole or in part. Failure of the School to conform to the provisions of paragraph one above or this paragraph two shall constitute a denial of the request for information.
3. If the person requesting information is denied access to a record, he or she may, within 30 days (or such other period required by law, from time to time), appeal such denial to the Records Access Appeals Officer (the Executive Director or his or her designee (such designee shall not also serve as the School Records Access Officer)).
4. Upon timely receipt of such an appeal, the School shall, within 10 business days of the receipt of the appeal (or such other period required by law, from time to time), fully explain, in writing, the reasons for further denial or provide access to the records sought. The School also will forward a copy of the appeal, as well as its ultimate determination, to the New York State Committee on Open Government at the Department of State, One Commerce Plaza, 99 Washington Avenue, Suite 650, Albany, NY 12231.

Record requests may be hand-delivered or submitted by mail or fax to the Records Access Officer, and will be accepted by email to the extent the School is able. The School shall accept requests for public access to records and produce records during the hours that it is regularly open for business. Upon request, the Records Access Officer shall certify that a record is a true copy.

# The Rosalyn Yalow Charter School

## Appeals

In the event an appeal for records is denied, the person requesting the information may bring a proceeding for review of such denial pursuant to Article 78 of the Civil Practice Law and Rules.

## Exempt Records

The School may deny access to requested records for a variety of reasons including one or more of the following:

- Such records are specifically exempted from disclosure by state or federal statute;
- Such access would constitute an unwarranted invasion of personal privacy;
- Such records, if disclosed, would impair present or imminent contract awards or collective bargaining negotiations;
- Such records are trade secrets or are submitted to the School 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 such enterprise;
- Such records are compiled for law enforcement purposes;
- Such records, if disclosed, would endanger the life or safety of any person;
- Such records are inter-agency or intra-agency materials that are not statistical or factual tabulations of data, instructions to staff that affect the public, or a final policy or external audits;
- Examination questions or answers; or
- Such records are computer access codes.

## Required Records and List

The School shall maintain: a record of the final vote of each trustee in every proceeding in which the trustees vote; a record setting forth the name, public office address, title and salary of every officer or employee of the School; and a reasonably detailed current list, by subject matter, of all records held by the School, whether or not available to the public under law.

The School may charge a copying fee for each page requested to be copied. The fee can be no more than the fee allowed by State law.

## Public Notice

A notice in the form attached to this policy containing the title or name and business address for the Records Access Officer and Records Appeals Officer and the location where records can be seen or copies shall be posted in conspicuous location wherever records are kept or published in a local newspaper of general circulation.

[Adopted by the Board of Trustees  
February 19, 2015]

The Rosalyn Yalow Charter School

**FORM OF PUBLIC NOTICE**

YOU HAVE A RIGHT TO SEE PUBLIC RECORDS

The amended Freedom of Information Law, which took effect on January 1, 1978, gives you the right of access to many public records.

The Rosalyn Yalow Charter School has adopted regulations governing when, where, and how you can see public records.

The regulations can be seen at all places where records are kept. According to these regulations, records can be seen and copied at:

Rosalyn Yalow Charter School

\_\_\_\_\_

Bronx, New York XXXXX

The following officials will help you to exercise your right to access:

1. School officials who have in the past been authorized to make records available

2. Records Access Officer

*(name)* \_\_\_\_\_

*(job title)* \_\_\_\_\_

*(business address)* \_\_\_\_\_

\_\_\_\_\_

*(phone #)* \_\_\_\_\_

*(email address)* \_\_\_\_\_

If you are denied access to a record, you may appeal to the following person(s) or body:

3. Records Appeals Officer

*(name)* \_\_\_\_\_

*(job title)* \_\_\_\_\_

*(business address)* \_\_\_\_\_

\_\_\_\_\_

*(phone #)* \_\_\_\_\_

*(email address)* \_\_\_\_\_