



The Academy Charter School

FOIL Policy

The Academy Charter School shall be subject to the Article 6 of the New York Public Officers Law, pursuant to Education Law § 2854(1)(e).

Requests for public information must be in writing and submitted to Records Access Officer who shall be the Principal/Chief Academic Officer. Upon the receipt of a request for school records and information, the request will be responded to in the following manner: Within five (5) business days of receipt of a written request, the Academy will, depending on the requested information, either make the information available at the site of the Academy Charter School or at the location of the educational corporation at the following addresses:

School Principal
Academy Charter School
94 Fulton Ave.
Hempstead, NY 11520

Chief Academic Officer
Academy Charter School
117 N. Franklin St.
Hempstead, NY 11550

Correspondences will be made during normal business hours (8:00 a.m. to 4:00 p.m.) to the person making the requesting, deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date for when a decision will be made to either grant or deny the request.

If the person requesting information is denied access to a record, he or she may, within 30 days, appeal such denial to the Board of Trustees at the following address:

Board of Trustees
Academy Charter School
117 N. Franklin St.
Hempstead, NY 11550

Upon timely receipt of such an appeal, the Board of Trustees will, within ten (10) business days of the receipt of the appeal, fully explain, in writing, the reasons for further denial or provide access to the record(s) sought. The Board of Trustees will also forward a copy of the appeal, as well as its ultimate determination, to the *New York State Committee on Open Government*.

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*. The Charter School may deny access to requested records for one or more of the following reasons, as per *NYS Freedom of Information Law*, Public Officers Law, Article 6, Section 87(2)

- are specifically exempted from disclosure by state or federal statute;
- if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of this article;
- if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
- are trade secrets or are submitted to an agency 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;
- are compiled for law enforcement purposes and which, if disclosed, would:
 - i. interfere with law enforcement investigations or judicial proceedings;
 - ii. deprive a person of a right to a fair trial or impartial adjudication;
 - iii. identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - iv. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
 - if disclosed could endanger the life or safety of any person;
 - are inter-agency or intra-agency materials which are not:
 - i. statistical or factual tabulations or data;
 - ii. instructions to staff that affect the public;
 - iii. final agency policy or determinations; or
 - iv. external audits, including but not limited to audits performed by the comptroller and the federal government; or
- are examination questions or answers which are requested prior to the final administration of such questions;
- if disclosed, would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.” (<http://www.dos.ny.gov/coog/foil2.html#s87> --- January 28, 2015)

The Academy Charter 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 education corporation; and a reasonably detailed current list, by subject matter, of all records in the school’s custody or possession.

The Academy Charter School may charge a copying fee for each page of information or records copied as per request. The fee can be no more than the fee allowed by State law and in full compliance with *NYS Freedom of Information Law*, Public Officers Law, Article 6, Section 87(1)(c)(i-iv).