



Freedom of Information Law Policy

New Dawn Charter Schools comply with the following to abide by the New York State Freedom of Information Law (Article 6 of the New York Public Officers Law; "FOIL"):

Any requests for school records or information from the School must be in writing or via e-mail and submitted to the Records Access Officer, who will be the Director of Operations (contact: Director of Operations, New Dawn Charter High Schools, 242 Hoyt Street, Brooklyn, NY 11217, jobregon@ndchsbrooklyn.org). Within ten business days of receipt of a written request, the school, depending on the requested information, responds by:

- Making the information available at the school itself during normal business hours to the person requesting it or, if requested, sending existing electronic documents via e-mail; or
- Denying the request in writing; or
- Providing a written acknowledgment of receipt of the request that supplies an approximate date for when the request will be granted or denied, which date will be reasonable under the circumstances of the request

If a request will be granted in whole or in part, but cannot be granted within 20 business days of the date of the school's acknowledgement of the request, the school shall state in writing the reason why it cannot be so granted and give a date certain when it will be granted in whole or in part, which date will be reasonable under the circumstances of the request.

If the person requesting information is denied access to a record, s/he may, within 30 days, appeal such denial to the Executive Director. (The Records Access Officer [the Director of Operations] and the appeals entity [the Executive Director] shall not be the same person.) Upon timely receipt of such an appeal, the School, within 10 business days of the receipt of the appeal, will fully explain the reasons for further denial or provide access to the record(s) sought. The school will also forward a copy of the appeal, as well as its ultimate determination, to the Committee on Open Government immediately after receipt or determination, respectively. If further denied, the person requesting information may further appeal through an Article 78 proceeding. Likewise, if the School does not follow the FOIL appeal procedures, it will constitute a denial of the FOIL appeal for purposes of allowing the requester to bring as Article 78 proceeding.

The School may deny access to requested records if:

- 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 and which, if disclosed, would cause substantial injury to the competitive position of a commercial enterprise;
- Such records are compiled for law enforcement purposes and which, if disclosed, would meet the conditions set forth in Public Officers Law §87(2)(e);



- Such records, if disclosed, would endanger the life or safety of any person;
- Such records are computer access codes; and/or
- Such records are internal materials which are not statistical or factual tabulations of data, instructions to staff that affect the public, a final policy, nor external audits.

The school maintains:

- 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.

There is no fee to inspect or search for records. Photocopies of records can be made on-site for 25 cents per page. By law, the fee for copying records shall not exceed 25 cents per page for photocopies not exceeding 9 by 14 inches. The fee for photocopies of records which are not an appropriate size for the School's photocopy equipment shall not exceed the actual reproduction cost, which is the average unit cost for copying a record, excluding fixed costs of the agency such as operator salaries.

The school will publicly post a notice setting forth the name and address of its records access officer, its records appeals officer, and the location where records will be made available. In addition to providing this policy in the family handbook, the school will make this policy available in the office upon request.

Further information: **Committee on Open Government, Freedom of Information Law**
www.dos.ny.gov/coog/foil2.html