



Brooklyn Laboratory Charter Schools FOIL Policy

Brooklyn Laboratory Charter Schools (BLCS) shall be subject to Article 6 of the New York Public Officers Law (also known as FOIL), pursuant to Education Law § 2854(1)(e).

Requests for public information must be in writing and submitted to the BLCS Records Access Officer who shall be designated by the BLCS Board of Trustees. Upon the receipt of a written request for records that are reasonably described, the request will be responded to in the following manner: Within five business days of receipt of a written request that is reasonably described, BLCS will, depending on the requested information, either make the information available, in whole or in part, at BLCS's principal location during normal business hours to the person requesting it, deny the request, in whole or in part, in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date (within 20 business days of the date of the acknowledgement) for when the request will be granted or denied. If circumstances reasonably warrant a longer time period, BLCS must give a reasonable "date certain" for the fulfillment of the request, which may be longer than 20 days.

If the person requesting information is denied access to a record, he or she may, within 30 days, appeal such denial to the Executive Director or his or her designee (such designee shall not also serve as the School Records Access Officer). Upon timely receipt of such an appeal, the Executive Director or his or her designee will, within 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 Executive Director or his or her designee 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.

BLCS may deny access to requested records for one or more of the following grounds:

- Such records are specifically exempted from disclosure by state or federal statute;
- Such access would constitute an unwarranted invasion of personal privacy under the provisions of Public Officers Law §89(2);
- Such records, if disclosed, would impair present or imminent contract awards or collective bargaining negotiations;
- Such records are trade secrets or are submitted to BLCS 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 and which, if disclosed, would meet the conditions set forth in Public Officers Law § 87(2)(e);

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- 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, final school policies or determinations, or external audits;
- Such records are examination questions or answers which are requested prior to the final administration of such questions;
- Such records, if disclosed, would jeopardize the capacity of BLCS or an entity that has shared information with BLCS to guarantee the security of its information technology assets, such as assets encompassing both electronic information systems and infrastructures.

BLCS 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 BLCS; and a reasonably detailed current list, by subject matter, of all records in BLCS's custody or possession, whether or not available to the public under FOIL. BLCS will maintain these and other records for the amounts of time outlined in the Record Retention Policy, which is contained in the Financial Policies and Procedures.

BLCS may charge a fee as permitted by State law.

BLCS will post a FOIL notice in a public place or publish such notice in a local newspaper of general circulation. The notice will include the name, title, business address, and business telephone number of the Records Access Officer. The notice must also contain the locations where the records are available for inspection and copying.