

Regulation 3310R

By-Laws

PUBLIC ACCESS TO RECORDS

1. These regulations provide information concerning the procedures by which records may be obtained from the school district as defined by subdivision three of Section eighty-six of the Public Officers Law, pursuant to the Freedom of Information Law.
2. A record is defined as any information kept, held, filed, produced or reproduced by, with or for the Board, in any physical form whatsoever.
3. The District Records Access Officer will furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by other applicable law.
4. The District will amend existing regulations or adopt new regulations to implement the Freedom of Information Law in conformity with any amendments to this law.

Designation and Duties of Records Access Officer

1. The Records Access Officer is designated to receive requests for records of the Board and to make such records available for inspection or copying when such requests are granted.
2. The Records Access Officer will compile and maintain a reasonably detailed current list by subject matter of all records in the possession of the Board whether or not available to the public.

Access to Records

1. Generally records of the West Irondequoit Central School District are available for public inspection and copying at the District Office Building during regular business days (Monday through Friday, except holidays) between the hours of 8:30 a.m. and 4:00 p.m. If a record is located in other than the District Office Building, arrangements will be made by the Records Access Officer to obtain, or provide access to, the requested record.
2. Fees for providing records will be as stated in Board Policy 3310.
 1. Requests to inspect or secure copies of records will be submitted in writing (either in person or by mail) or by email, to the Records Access Officer. Such requests will reasonably describe the record or records sought.
 2. All requests for information will 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 will acknowledge receipt of the request and advise the person making the request of the approximate date when the request will be granted or denied. Requests received through email will be responded to through email.
 3. When a request for access to a public record is denied, the Records Access Officer will indicate in writing the reasons for such denial, and the right to appeal.

4. 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 District Clerk within 30 days after the denial from which such appeal is taken.
5. The appeal will be submitted to the Superintendent of Schools for a decision.
6. The applicant and the Committee on Open Government will be informed of the Superintendent's determination in writing within seven business days of the receipt of an appeal. The District Clerk will transmit to the New York State Committee on Open Government copies 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 information exempted by the Freedom of Information Law including, but not limited to:

1. Records specifically exempted from disclosure by state or federal statute. Under this exception, the Board may deny access to: student information which is made available to the parent and eligible student over 18 years of age, and is otherwise confidential under federal law; names of and charges placed against tenured teachers or supervisors which are held to be confidential under the State Education Law; and material prepared for litigation or otherwise privileged as the work of an attorney pursuant to state or federal rules of civil procedure.

Records which if disclosed would constitute an unwarranted invasion of personal privacy as defined by the Freedom of Information Law. The Records Access Officer may delete identifying details when records are made available. An unwarranted invasion of personal privacy includes but is not limited to:

- a. Disclosure of confidential personal matters reported to the Board which are not relevant or essential to the ordinary work of the Board
 - b. 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
 - c. Sales or release of items of a personal nature when disclosure would result in economic hardship to the subject party and such records are not relevant or essential to the ordinary work of the Board
 - d. Disclosure of items of a personal nature when disclosure would result in economic hardship to the subject party and such records are not relevant or essential to the ordinary work of the Board
3. Records which if disclosed would impair present or imminent contract awards or collective bargaining negotiations.
 4. Records confidentially disclosed to the Board and compiled and maintained for the regulation of commercial enterprise, including trade secrets, or for the grant or review of a license.

5. Records which 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
 - 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
8. Records which are examination questions or answers that are requested prior to the final administration of such questions
9. Records that are computer access codes
10. Records not maintained by this district.

PUBLIC NOTICE

The District will post records access information in a conspicuous location in the Central Office and on the District website:

2. The location where records will be made available for inspection and copying.
3. The name, title, business address, and business telephone number of the designated Records Access Officer.
4. The email address to which requests for records should be submitted.
5. The right to appeal by any person denied access to a record and the name and business address of the person or body to whom an appeal is to be directed.

Revised: 7/07; 6-28-2021