

PUBLIC ACCESS TO SCHOOL DISTRICT RECORDS

In accordance with requirements of the New York State Freedom of Information Law and in continuance of procedures governing the public's access to records of the Patchogue-Medford Schools, these regulations are set forth. The superintendent of schools, as chief administrator of the school district, shall assume prime responsibility for compliance with the spirit and details of these regulations. The superintendent of schools shall, at the superintendent's option, appoint staff members as the superintendent's designee to serve as records access officers.

Records access officers shall be responsible for insuring an appropriate response to requests by the public for access to records. They shall certify the authenticity of true copies of records; certify that the school district is not the legal custodian of certain records; or certify that certain other records cannot be found after a diligent search.

Records of the Patchogue-Medford Schools may be inspected at the Administrative Center of the district. The offices are located at 241 South Ocean Avenue, Patchogue, New York. The public shall have access to records on days when the offices are open for business between the hours of 9 a.m. and 12 noon, and 1:30 p.m. to 3:30 p.m. In addition, minutes of the meetings of the Board of Education shall be available at the Patchogue-Medford Public Library, located at 54-60 East Main Street, Patchogue, New York, during the hours when the library is open.

Requests for access to records of this school district shall be made by use or a form or facsimile of the form provided by the office of the superintendent of schools. Response to such requests shall be made within five (5) business days following receipt of the request. When more than five (5) business days are required for such response, acknowledgement of the receipt of the request and a statement of the reason for the delay, with an estimated date of compliance, shall be dispatched within five (5) business days.

A request for access to records should be sufficiently detailed to identify the records. Where possible, such requests shall include information regarding dates, titles, file designations, and all other information which may help identify the records.

A current listing, to be updated semi-annually, of all records produced, filed, or first kept or promulgated after September 1, 1974, shall be available for public inspection and copying. This subject matter list shall be kept on file in the office of the superintendent of schools.

Public Access To School District Records (Continued)

However, the school district shall not disclose matters which are of a personal nature to its employees. These matters shall include, but not be restricted to:

1. Matters which have been reported in confidence and which are not relevant or essential to the ordinary work of the school district;
2. Prior employment history, medical history, personnel references, non-business addresses or lists of same, confidential evaluation reports and other reports made and which are not relevant or essential to the ordinary business of the district without the expressed advance written approval of the employee;
3. Any items of a personal nature the disclosure of which would result in economic or personal hardship to the subject party when such records are not relevant or essential to the ordinary business of the school district;
4. Information concerning students which is prohibited to public disclosure by Section 438 of the General Education Provisions Act, which was enacted by the 93rd Congress and which is stipulated by Board of Education Policy #5125, and
5. Any other data the public disclosure of which is prohibited by law.

In accordance with Education Law § 2-d(5)(b)(1) and Section 121.5 of the Regulations of the Commissioner of Education, disclosure of personally identifiable information from the student records of the District, including directory information, to individuals or entities other than the parent/guardian or eligible student or which is not otherwise permitted by applicable consent or provision of Education Law § 2-d, shall be predicated upon a determination that the proposed use would benefit students and the District (e.g., improve academic achievement, empower parents and students with information, and/or advance efficient and effective school operations).

In accordance with Public Officers Law Section 87(6), the Records Access Officer will make a reasonable effort to notify an employee if the district is responding to a request for the employee's disciplinary records. The contact information on file with the District's Office of Human Resources will be used for purposes of this notification.

Upon proper request, a copy of a record will be prepared by machine provided by the district at a cost of 25 cents, payable in cash, for each face page or part thereof copied. Such copies shall be made only on paper having a dimension of 8 1/2 x 11 inches. Other charges for searches and inspections shall be promulgated and levied by the superintendent of schools in accordance with applicable laws and regulations. Records may not be removed by the requester from the office where such records are regularly housed.

Public Access To School District Records (Continued)

Denial of access to records shall be by written response within five (5) business days of receipt of the request. The denial shall include the reason therefore, and shall advise the requester of the right to appeal such a decision to the Board of Education.

Requests for records not honored promptly as required by this policy shall be construed as a denial of access.

Appeals for denial of records under the Freedom of Information Law shall be made to the Patchogue-Medford Board of Education. Such an appeal shall be addressed to the School District Clerk, Patchogue-Medford Schools, Administrative Center, 241 South Ocean Avenue, Patchogue, New York 11772. The Board of Education shall respond to such an appeal by identifying the date of the appeal; the date and location of the request; the specification of the records to which the requester was denied access; a statement as to whether such denial was by action or by failure to respond; and the name and address of the requester. The Board of Education shall decide such an appeal and inform the requester of its decision in writing within seven (7) business days of receipt of the appeal. A final denial of access of a requested record shall be subject to court review as provided for in Article 78 of the New York State Civil Practice Law and Rules.

Notice regarding the details of this policy shall receive general circulation to residences within the Patchogue-Medford School District.

Policy Adopted:
March 17, 1975
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