

## FOIL Policy – Approved 9/13/2016



Brilla College Preparatory Charter Schools (“Charter School”) shall be subject to 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 the Charter School’s Records Access Officer who shall be designated by the Principal. Upon the receipt of a request for School records and information, the request will be responded to in the following manner: Within five business days of receipt of a written request, the Charter School will, depending on the requested information, either make the information available at the Charter School’s principal location during normal business hours to the person requesting it, deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date for when the request will be granted or denied.

If the person requesting information is denied access to a record, he or she may, within 30 days, appeal such denial to the CEO 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 School 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 Charter School also will 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 in 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 grounds:

- 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 or are submitted to the School 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)(3);
- Such records, if disclosed, would endanger the life or safety of any person;
- Such records are computer access codes;
- 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, or a final policy or external audits.
- Such records are examination questions or answers.

The 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 Education Corporation’s custody or possession.

The Charter School may charge a copying fee for each page requested to be copied. The fee can be no more than the fee allowed by State law.