

### **Purpose of Policy**

The purpose of this Policy is to ensure that the Board of Trustees and UPREP comply with the New York State Freedom of Information Law which requires that the public have access to certain records of public agencies, including charter schools,.

### **Target Population**

The target populations for this policy are Board of Trustee members, school leadership, and members of the community.

### **Policy Description**

The Chief Executive Officer shall establish, and the Board of Trustees shall approve, a system to maintain all records in UPREP's custody and control in the following areas:

- Retention and disposition of records pursuant to the LGS-1;
- Public disclosure of records pursuant to the Freedom of Information Law (FOIL);
- Protection of confidential records.

The Board of Trustees designates its Board Secretary as Records Access Officer under the Freedom of Information Law.

### **Procedures:**

If a member of the Board of Trustees or Executive Leadership receives a FOIL record request, the request should be immediately forward to the Board Secretary for response according to the timeframe set within the requirements under the Public Officers Law.

- Receipt of a FOIL record request are deemed "received" on the first business day on which the request is viewed. All timing requirements flow from that date.

The Records Access Officer will:

- Provide a written acknowledgement of receipt of the request, including an approximate date that a full response will be issued within five (5) business days of receipt
- Review the request
- Consult with the School Attorney to determine whether the request includes documents that are exempt from disclosure under the Public Officers Law
- Consult with the School Attorney for recommendation as to grant or deny access to records whole or in part and draft a written explanation of the reasons
- Within 20 business days of the acknowledgment, provide a full response or explanation for delay in responding.
- Make copies (or send electronic copies) of records available to the requestor upon payment in accordance with FOIL.

- Immediately notify the Board Chair of suspicious or controversial requests. Report out at Regular Board Meetings as to all requests.

This Policy (and the Law) does not require the Board or school leadership to create any record not possessed or maintained by it in response to a records request.

**Policy Review**

The Board of Trustees shall annually review the Policy in conjunction with school leadership. The annual review of policies will take place at the annual meeting of the Board of Trustees.

Recommended changes to the Policy will be presented to and approved by the Board of Trustees.