

Freedom of Information Law Requests

WHEREAS, the Legislature of the State of New York has enacted into law Chapter 578, 579, and 580 of the Laws of 1974, designated therein as the Freedom of Information Law.

NOW, the Board of Trustees of the Sayville Library, desiring to provide for the speedy implementation of these laws, has adopted the following rules and regulations:

1. Nature of Records to Be Made Available: Subject to the limitations and reservations provided for by statute, the Library District shall make available for inspection and copying, as hereinafter provided, the following:
 - (a) final opinions, including concurring and dissenting opinions, as well as order, made in the adjudication of cases;
 - (b) those statements of policy and interpretations which have been adopted by the Library District and any documents, memoranda, data, or other materials constituting statistical or factual tabulations which led to the formulation thereof;
 - (c) minutes of the meetings of the Library District including public hearings held by the Library District;
 - (d) internal and external audits and statistical or factual tabulations made by or for the Library District;
 - (e) administrative staff manuals and instruction to staff that affect members of the public;
 - (f) an itemized record setting forth name, address, title and salary of every officer or employee of the Library District;
 - (g) final determinations and dissenting opinions of members of the Board of Trustees of the Library District;
 - (h) any other files, records, papers or documents required by any other provision of law to be made available for public inspection and copying.
2. Persons from whom such records may be obtained: All records may be obtained from the Library Director of the Library District or from such person or persons as he or she shall, from time to time, designate.
3. Time and place for obtaining records: All records may be obtained during regular business hours (10 a.m. to 5 p.m., weekdays) from the Library Building, or at places which may be otherwise designated under Rule 4 (b) below.
4. Procedure for obtaining records:
 - (a) Requests to inspect or secure copies of records shall be submitted to the Library Director or to a person or persons whom he or she shall, from time to time, designate, in writing.

- (b) The Library Director, or his or her designee, shall with due dispatch thereafter advise the requester whether the records specified in the request are available and, if so, shall direct the requester to the place where the requested records may be inspected, and will arrange for the preparation and certification of copies upon tender of the required fee.
 - (c) With respect to records which are determined not to be available, the Library Director or his or her designee, will note the reason for unavailability in writing and give same to the requester.
 - (d) Should the requester feel aggrieved by any determination of the Library Director or his or her designee, he may appeal to the Board of Trustees in writing, which appeals shall be delivered to the Library Director or to his or her designee within thirty (30) days after the denial from which such appeal is taken.
 - (e) In determining the actual cost of reproducing a record, we may include:
 - i. An amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare a copy of the requested records
 - ii. The actual cost to the library of engaging an outside professional service to prepare a copy of the record, but only when the library's technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy; and
 - iii. Preparing a copy shall not include search time or administrative costs, and no fee shall be charged unless at least two hours of library employee time is needed to prepare a copy of the record requested. A person requesting a record shall be informed of the estimated cost of preparing a copy of the record if more than two hours of a library employee's time is needed, or if an outside professional service would be retained to prepare a copy of the record
5. Fees: The fees for copies of available records shall be .25¢ per page, with no additional charge for certification, such fees to be paid in advance by cash, or by check or money order payable to "Sayville Library." After payment is received, documentation will be made available.

By Order of the Board of Trustees
Of the Sayville Library District

Adopted: February 11, 1975
Amended: May 10, 2010
Article I, Article III (3),
Section 4 (e), Section 5

FREEDOM OF INFORMATION ACT AND CONFIDENTIALITY OF
LIBRARY RECORDS

The following regulation is hereby enacted by this Board of Library Trustees in accordance with Public Officers Law, Article 6, Sections 84 through 90, commonly known as the Freedom of Information Act, and hereinafter referred to as the "Act" and supersedes the policy on access to Sayville Library records adopted by the Board of Trustees on February 11, 1975.

ARTICLE I: The Library Director, whose office is located at 88 Greene Avenue, Sayville, New York, telephone number (516) 589-4440, is hereby designated as the Records Access Officer. The Records Access Officer is the person from whom those library records, memoranda, documents, or the written information required to be made available to the public by the Act may be obtained.

ARTICLE II: Request for inspection of copies of such records as are required to be made available by the Act, as well as other applicable law, may be made to the Library Director at the Director's office from Monday through Friday, 10 a.m. to 5 p.m.

ARTICLE III: Request to inspect records or to secure copies thereof shall be made in writing.

- (a) The requisition shall contain the name and address of the requestor, identification of the record, document or other data required with as great a degree of clarity and specificity as may be practical.
- (b) In the event a copy of the particular document, record or other data is requested, a fee payable by check or money order to the order of the Library shall be paid as follows:
 - 1. 25 cents a page for photocopies not exceeding 9" x 14".
 - 2. Computer read-out and copies of records other than 9" x 14" or less in size shall be the actual cost excluding fixed agency costs such as salaries.
 - 3. After payment is received, documentation will be made available.

All fees shall be turned over to the Library Business Office.

ARTICLE IV: The library Director shall maintain a register which shall include the date of requisition, the name and address of the requestor and a description of the documents of records to be examined or copied, as well as the action taken by the Library Director in response to such requisition, and a notation of the fees received.

ARTICLE V: The Library Director shall maintain a reasonable detailed current list, by subject matter, of all records in its possession, whether or not such records are

available pursuant to subdivision 2 of Section 81 of the Public Officers Law, which list shall be sufficiently detailed to permit identification of the category of the records requested.

ARTICLE VI: The Library Director as expeditiously as possible, and within five business days of a request for records, shall:

- (a) If the records are in the possession of the Library Director, make the same available to the requestor for inspection.
- (b) If the records are not in the possession of the Library Director:
 - 1. advise requestor that such records are not maintained in the library files;
 - 2. requisition the document or record from the appropriate department within the library where the document is located so that such document or record will be available for inspection or copying in the office of the Library Director; or
 - 3. provide the requestor an appropriate written order directed to the head of the particular library department where the record is maintained, authorizing the examination of the document. In such event, the Library Director shall also communicate with such library department head advising of the issuance by the Director of such authorization.
- (c) In the event that in the material or the records or documents requested a portion of such record or document is deemed by the Library Director to be excludable as outlined in Article "VII" hereof, the Library Director is authorized and directed to delete such information from any copies made available to the requestor, or to not make available for inspection the original of such record but only a copy thereof having first deleted the unauthorized information.

ARTICLE VII: However, no record shall be made available for inspection or copying where, in the judgment of the Library Director, the disclosure of such records:

- (a) Is specifically excepted from disclosure by state or federal statute;
- (b) Is an unwarranted invasion of personal privacy;
- (c) Would impair present or imminent contract awards or collective bargaining negotiations;
- (d) Have been reported in confidence to the Library;
- (e) Are not relevant or essential to the ordinary work of the Library;
- (f) Relate to the employment, medical or credit histories or personal references of employment applicants, except when applicant has provided a written release permitting such disclosure;
- (g) Are inter-agency or intra-agency material which are not:
 - 1. statistical or factual tabulations or data;
 - 2. instructions to staff that affect the public; or
 - 3. final agency policy or determinations;
- (h) Medical reports;

- (i) As a list of names and addresses is to be used for private commercial or fund-raising purposes;
- (j) Records related to the circulation of library materials which contain names or other personally identifying details regarding the users of the library;
- (k) Relate to items of a personal nature when disclosure would result in an economic or personal hardship to a subject party and such records are not relevant or essential to the ordinary work of the library.

The Library Director shall deny such request, in writing, or furnish written acknowledgement of the receipt of such request, and advise the requestor of the right to appeal.

ARTICLE VIII In the event of the refusal of the Library Director to furnish library records or other data to which the requestor declares entitlement, an appeal shall be directed to the President of the Library's Board of Trustees within thirty days after the denial from which such appeal was taken. The President of the Library's Board of Trustees is hereby authorized to investigate all facts surrounding the particular requisition, including an interview with the requestor for the purposes of ascertaining the exact record or document sought, the purpose for which such document is sought in the event the Library Director has declined to deliver the document by virtue of a determination by the Director that such document is an excluded document under this Act or other law, and all other facts relevant to the particular requisition. A decision on such appeal shall be rendered within seven (7) business days of the receipt of such appeal fully explained in writing to the person requesting the record the reasons for such further denial, or provide access to the record sought. In addition, the Board of Trustees shall immediately forward to the Committee on Public Access to Records a copy of such appeal and the determination thereon. In the event of a denial of such an appeal, the requestor shall have the right to commence an Article 78 proceeding in the Supreme Court, Suffolk County, to compel the production of the particular document or record.

ARTICLE IX The following documents and records, whether produced, filed or maintained by the library, shall be available for public inspection and examination:

- (a) Library Board minutes;
- (b) Bid specifications;
- (c) Bids;
- (d) Purchase orders and contracts;
- (e) Records of library receipts and expenditures, including checks;
- (f) Lists of employees and their remuneration;
- (g) Employee organization contracts;
- (h) Library policies of any kind of nature;
- (i) Library regulations;
- (j) Staff minutes