

ACCESS TO RECORDS

The following regulation is hereby enacted by the Trustees of the Longwood Public Library 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".

ARTICLE I: The Library Director, whose office is located at 800 Middle Country Road, 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. In the absence of a Director of the Library facilities, the Assistant Director is so designated as the Public Access Officer.

ARTICLE II: A 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 during all hours during which the library is regularly open for business. These hours shall ordinarily be Monday through Friday from 9:30 AM to 5:00 PM.

ARTICLE III: Request to inspect records or to secure copies thereof shall be submitted to the Library Director by completion of a requisition form.

(a) The requisition form 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:

- 25 cents a page for photocopies not exceeding 9"x11"
- Computer read-out and copies of records other than 9" x14" or less in size shall be the actual cost excluding fixed agency cost such as salaries.

All fees shall be turned over to the Library Treasurer.

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 or 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 Records Access Officer shall maintain a reasonably detailed current list, by subject matter, of all records in the Library's possession, whether or not such records are available pursuant to subdivision 2 of section 87 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 days of 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;
 - i. advise requestor that such records are not maintained in the library files;
 - ii. 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
 - iii. 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 material 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;
Would impair present or imminent contract awards or collective bargaining negotiations;
- (c) Have been reported in confidence to the library;
- (d) Are not relevant or essential to the ordinary work of the library;
- (e) Relate to employment, medical or credit histories or personal references of employment applicants, except when the applicant has provided a written release permitting such disclosure;
- (f) Are inter-agency or intra-agency materials which are not:
 - i. statistical or factual tabulations or data;
 - ii. instructions to staff that affect the public; or
 - iii. final agency policy or determinations;
- (g) Medical Reports;
As a list of names and addresses is to be used for private, commercial or fund-raising purposes;

- (h) 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 a written acknowledgment 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 Board of the Library Trustees within thirty days after the denial from which such appeal was taken. The President of the Board of Library 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 business days of the receipt of such appeal fully explaining 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, 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, should 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) Employee organization contracts.
- (g) Library policies of any kind or nature.
- (h) Library regulations.
- (i) Insurance policies.
- (j) Audits, either internal or external.

ARTICLE X: A notice containing the title or name and business address of the Records Access Officer and appeals person or body and the location where records can be seen or copied, shall be posted in a conspicuous location wherever records are maintained and/or published in a local newspaper of general circulation.

ARTICLE XI: This regulation shall be deemed effective as of 8/1/90.

ARTICLE XII: If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

APPLICATION FOR PUBLIC ACCESS TO RECORDS
Longwood Public Library

Section 1. TO BE COMPLETED BY APPLICANT

INSTRUCTIONS TO APPLICANT: Please complete Section 1 of this form. Give the form to the Director. The Director will return the original to you as a response to your request.

TO: Director
Longwood Public Library
800 Middle Country Road
Middle Island, NY 11953

I HEREBY APPLY TO INSPECT THE FOLLOWING RECORD(S). (Please describe the record sought, if possible, supply a date, a file title and number, and any other information that will help locate the record(s) desired:

Signature of Applicant and Printed Name

Applicant Represents

Applicant's Mailing Address

Date of Application

SECTION 2. FOR USE BY LIBRARY FREEDOM OF INFORMATION OFFICER ONLY

- Approved
- Records not possessed or maintained by Library
- Records cannot be found after diligent search
- Denied. Reason for denial. _____

- Receipt of this request is acknowledged. There will be a delay in supplying the requested record(s) until _____
for the following reason:

Signature

Title

Date

SECTION 3. NOTICE TO APPLICANT

You have the right to appeal a denial of this application in writing to the Board of Trustees of the Longwood Public Library within 30 days of the denial. The Board of Trustees will respond to you in writing within 7 Business Days of receipt of your appeal.