

# Board Policy

## Freedom of Information

Access to records of Eastern Suffolk BOCES will be consistent with the rules and regulations established by the New York State Committee on Open Government and will comply with all the requirements of the New York State Freedom of Information Law (FOIL).

### Records Access Officer

The District Superintendent, subject to the approval of the Board, will designate a Records Access Officer who shall have the duty of coordinating ESBOCES response to public request for access to records.

### Fulfilling FOIL Requests

ESBOCES will provide copies of records in the format and on the medium requested by the person filing the FOIL request if ESBOCES can reasonably do so regardless of burden, volume, or cost of the request. ESBOCES may charge a fee for copies as permitted by law and regulation.

ESBOCES may require a person requesting lists of names and addresses to provide a written certification that they will not use the lists of names and addresses for solicitation or fundraising purposes and will not sell, give, or otherwise make available the lists of names and addresses to any other person for the purpose of allowing that person to use the lists of names and addresses for solicitation or fundraising purposes.

### Requests for Records via E-mail

If ESBOCES has the capability to retrieve or extract electronic records with reasonable effort, it will provide the records electronically upon request. ESBOCES will accept requests for records submitted in the form of e-mail and respond to those requests by e-mail using the forms supplied by ESBOCES. This information will be posted on the ESBOCES website, clearly designating the e-mail address for purposes of receiving requests for records via this format.

When ESBOCES maintains requested records on the internet, the response will inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium.

### Notification

ESBOCES will post in a conspicuous location wherever records are kept and/or publish in a local newspaper of general circulation a notice which contains: the locations where records will be made available for inspection and copying; the name, title, business address, and business telephone number of the Records Access Officer; and the right to appeal a denial of access to records with the name and business address of the person or body to whom the appeal should be directed.

### **Additional Provisions**

Regulations and/or procedures governing access to ESBOCES records in relation to FOIL requests will be developed.

### **References:**

- NYS Education Law Section 2116
- Public Officers Law Article 6
- 21 NYCRR Part 1401
- Board Policy 1510 – Regular Board Meetings and Rules (Quorum and Parliamentary Procedure)
- Board Policy 4570 - Records Management
- Administrative Regulation 2310R.1 – Freedom of Information – Public Access to Records

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