

FOIL (Freedom of Information Law) Policy

Valence College Prep Charter School (Valence College Prep) shall be subject to the 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 Valence College Prep's Records Access Officer, who shall be designated by the Head of School. To make a request, please follow the procedure outlined on page 2.

Valence College Prep Charter School complies with New York State's "Freedom of Information Law" (FOIL). 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, Valence College Prep will, depending on the requested information, either make the information available at the school's principal location during normal business hours to the person requesting it (32-20 108th St, East Elmhurst, NY 11369), deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date for when a decision will be made to either deny or grant the request.

If the person requesting information is denied access to a record, he or she may, within 30 days, appeal such denial to the Head of School/Director of Operations or his or her designee (such designee shall not be the same as the person designated as the School Records Access Officer). Upon timely receipt of such an appeal, Valence College Prep 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. Valence College Prep also will forward a copy of the appeal, as well as its ultimate determination, to the New York State Committee on Open Government.

Committee on Open Government
Department of State
One Commerce Plaza
99 Washington Avenue, Suite 650
Albany, NY 12231

In the event an appeal for records is denied, the person requesting the information may bring a proceeding for review of such denial pursuant to Article 78 of the Civil Practice Law and Rules.

Valence College Prep may deny access to requested records for one or more of the following reasons, as per NYS Freedom of Information Law, Public Officers Law, Article 6, Section 87(2)(a--i):

- “(a) are specifically exempted from disclosure by state or federal statute;
- (b) if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty--nine of this article;
- (c) if disclosed would impair present or imminent contract awards or collective bargaining negotiations;

- (d) are trade secrets or are submitted to an agency 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 the subject enterprise;
- (e) are compiled for law enforcement purposes and which, if disclosed, would:
 - i. interfere with law enforcement investigations or judicial proceedings;
 - ii. deprive a person of a right to a fair trial or impartial adjudication;
 - iii. identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - iv. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
- (f) if disclosed could endanger the life or safety of any person;
- (g) 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;
 - iii. final agency policy or determinations; or
 - iv. external audits, including but not limited to audits performed by the comptroller and the federal government; or
- (h) are examination questions or answers which are requested prior to the final administration of such questions;
- (i) if disclosed, would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.”¹

Valence College Prep 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 Valence College Prep’s custody or possession.

Valence College Prep may charge a copying fee for each page of information or records copied as per request. The fee can be no more than the fee allowed by State law and in full compliance with NYS Freedom of Information Law, Public Officers Law, Article 6, Section 87(1)(c)(i--iv)

Procedure for FOIL Requests

Requests for public information must be in writing and submitted to Valence College Prep’s Records Access Officer, who shall be designated by the Head of School. To make a request, please write your request addressing the Records Access Officer/Head of School and email it to operations@valencecollegeprep.org, including “FOIL Request” in the subject line and the below application attached.

¹ <https://www.dos.ny.gov/coog/foil2.html>



Valence College Preparatory Charter School Application for FOIL Policy Requests

RECORDS ACCESS OFFICER

Valence College Prep
9729 64th Rd
Rego Park, NY 11374

Application for Public Access to Records Pursuant to Valence College Preparatory Charter School
Freedom of Information Law Policy

I HEREBY APPLY TO

- Inspect
- Secure

COPIES OF THE FOLLOWING RECORD(S):

Please provide these records to me in the following form (Please select one):

- Paper Copy
- Electronically

Telephone: _____ Date: _____

Email Address: _____

Mailing Address: _____

Signature: _____ Representing: _____

FOR SCHOOL USE ONLY

Status of request:

- Approved
- Denied (circle reason below)

Confidential disclosure Part of investigatory files Unwarranted invasion of privacy
Record cannot be found Record is not maintained by AA
Exempt by statute other than the Freedom of Information Act
Other (specify) _____

Signature of Records Access Officer: _____ Date: _____

NOTICE: You have a right to appeal a denial of this application. Please submit a written request for appeal to the Head of School within 30 days. Upon timely receipt of such an appeal, Valence College Prep 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.



Valence College Prep equips all scholars with the academic skills, professional habits, and strength of character to graduate from college and lead lives of opportunity.