



**Elm Community Charter School**  
*Freedom of Information (FOIL) Policy*

Elm Community Charter School complies with New York State's "Freedom of Information Law" (FOIL). When the school receives a request for information under the Freedom of Information Law, it responds in the following manner:

- Within five business days of receipt of a written request, the school shall make the information available to the person requesting it, deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date, which shall be reasonable under the circumstances, for when the request will be granted
- If Elm CCS determines to grant access to the requested information, and if circumstances prevent disclosure to the person making the request within twenty business days of the acknowledgment of receipt of the request, the school shall state, in writing, both the reason for the delay and a date certain, within a reasonable period of time, depending on the circumstances, when the request will be granted in whole or in part. Failure of the school to conform to the provisions of paragraph one above or this paragraph two, shall constitute a denial of the request
- If an individual is denied access to a record, he or she may, within 30 days (or such period as defined by law, as may be modified over the course of the charter), appeal such denial to the School Leadership Team.
- Upon timely receipt of such an appeal, Elm shall, within 10 business days of the receipt of the appeal (or such period defined by law, as may be modified over the course of the charter), fully explain the reasons for further denial or provide access to the record sought. The school also must forward a copy of the appeal, as well as its ultimate determination, to the New York State Committee on Open Exceptions to disclosure: Elm Community Charter School may deny access to a requested record for a variety of reasons, including that:
  - a) such access would constitute an unwarranted invasion of personal privacy;
  - b) such access would violate either state or federal law;
  - c) such records are compiled for law enforcement purposes; and/or
  - d) such records are interagency or intra-agency materials which are not statistical or factual tabulations of data, instructions to staff that affect the public or a final policy. Except for records specified in Public Officers Law §87(3), the school shall not be required to prepare any record that it does not maintain or have in its possession.

Elm's FOIL policy can be provided upon request. Please email [Simon.Vengerik@elmcharterschool.org](mailto:Simon.Vengerik@elmcharterschool.org). For more information, visit the NYS Committee on Open Government at <https://www.dos.ny.gov/coog/index.html>.





## **Elm Community Charter School**

### *Freedom of Information Law*

#### **Freedom of Information Law**

In keeping with the growing recognition of individual rights to privacy, we maintain only those records and collect only personal information that is necessary for organizational purposes. We make every effort to maintain the confidentiality of all personal information. However, Elm will cooperate with and provide access to personnel files to local, state and federal agencies in accordance with applicable law. Elm will provide dates of employment when employment verification is requested. We will provide wage/salary information if the appropriate authorization and release has been provided by the employee. We will not provide recommendations and/or terms of separation and/or rehire status unless required by law.

#### **Procedure**

To make a request simply write your request and mail it or email to the Director of Operations, Simon Vengerik at [simon.vengerik@elmcharterschool.org](mailto:simon.vengerik@elmcharterschool.org), including "FOIL Request" in the subject line and the below application attached.

Elm Community Charter School  
Application RE: FOIL Policy

APPLICATION FOR PUBLIC ACCESS TO RECORDS PURSUANT TO ELM COMMUNITY CHARTER  
SCHOOLFREEDOM OF INFORMATION LAW POLICY TO:

RECORDS ACCESS OFFICER  
Elm Community Charter School  
149-34 35<sup>th</sup> Ave.  
Flushing, New York 11354

I HEREBY APPLY TO

INSPECT

SECURE COPIES OF THE FOLLOWING RECORD(S):

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Please provide these records to me:

Form:  Paper Copy  Electronically  
(Please circle one)

Signature: \_\_\_\_\_

Representing: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

FOR SCHOOL USE ONLY

APPROVED  DENIED (check 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 TO THE SUPERINTENDENT OF SCHOOLS (OR BOARD PRESIDENT), ATMOSPHERE ACADEMY CHARTER SCHOOL, WHO MUST FULLY EXPLAIN THE REASONS FOR SUCH DENIAL IN WRITING WITHIN SEVEN (7) BUSINESS DAYS OF RECEIPT OF AN APPEAL.

I HEREBY APPEAL:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_