

PUBLIC ACCESS TO RECORDS
Of
South Huntington Public Library (Adopted 2/22/99)

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."

Article I: The Library Director, whose office is located at 145 Pidgeon Hill Road, Huntington Station, New York, telephone number (516) 549-4411, is hereby designated as the Records Access Officer. The Records Access Officer is the person from whom those library records, memoranda, documents, or other 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 President of the Board of Trustees is to designate as the Public Access Officer.

ARTICLE II: Request for inspection or 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 such office during all hours during which the Director's Office is regularly open for business. These hours are currently Monday through Friday from 9:30 a.m. to 4:30 p.m.

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 that 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:
 - i. 25 cents a page for photocopies not exceeding 9" x 14."
 - ii. 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.

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

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 reasonable 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 81 of the Public Officers Law, which list shall be sufficiently detailed to permit the identification of the category of the records requested.

ARTICLE VI: The Library Director, as expeditiously as possible, and within five 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:
 - 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 by 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 expected 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) Related to employment, medical or credit histories or personal references of employment applicants, except when the applicant has provided a written release permitting such disclosure;
- (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; or
 - iii. final agency policy or determinations;
- (h) Medical reports;
- (i) Is a list of names and addresses to be used for private, commercial or fund-raising purposes;
- (j) Records related to the circulation of library materials which contain names or other personal 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 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 records or other data to which the requestor declares entitlement, an appeal shall be directed to the President of the Board of 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 duly 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 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) Opened 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 or nature.
- (i) Library regulations.
- (j) Staff minutes.
- (k) Insurance policies.
- (l) Audits, either internal or external.
- (m) To bona fide members of the news media, upon written notice, the Library Director shall make available an itemized record setting forth name, address, title, and salary of every officer or employee which shall be compiled by each fiscal officer charged with the duty of preparing payrolls for such officers and such records shall be made available for inspection by the officer charged with the duty of certifying such payrolls.

ARTICLE XI: This regulation shall be deemed effective as of February 22, 1999.

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 ACCESS TO PUBLIC RECORDS IN
THE SOUTH HUNTINGTON PUBLIC LIBRARY

Name: _____ Address: _____
(please print)

Home Phone: _____ Work Phone: _____

I hereby apply to inspect the following records:

Purpose of Inspection

Signature _____ Representing _____

Date _____

Please check one: _____ Please photocopy (charge of \$.25 per page); or

_____ I wish to inspect the document (s) at the Library which are available from 9:30 a.m. to 4:30 p.m., Monday through Friday. I would like to inspect the records on the following dates. Please specify three alternate dates and times.

For Library Use Only

Approved _____ Inspection Date and Time (If Required) _____

Denied for the Reason (s) checked below:

____ Confidential disclosure _____ Unwarranted invasion of personal privacy

____ Record cannot be found by this library's legal custodian

____ Part of Investigatory files _____ Record is not maintained by Library

____ Exempt by statute other than the Freedom of Information Act

____ Other _____

Signature _____ Title _____ Date _____

Notice: You have a right to appeal a denial of this application to the Board of Trustees of the Library.

I hereby appeal _____
Signature _____ Date _____

YOU HAVE A RIGHT TO SEE PUBLIC RECORDS

The amended Freedom of Information Law, which took effect on January 1, 1978, gives you the right of access to many public records.

South Huntington Public Library has adopted regulations governing when, where and how you can see public records.

The regulations can be seen at all places where records are kept.

According to these regulations, records can be seen and copied at the Library facility:

South Huntington Public Library
145 Pidgeon Hill Road
Huntington Station, NY 11746

The following official will help you to exercise your right to access:

Records Access Officer, Library Director
South Huntington Public Library
145 Pidgeon Hill Road
Huntington Station, NY 11746

If you are denied access to a record, you may appeal to the following person (s) or body:

President, Board of Trustees
South Huntington Public Library
145 Pidgeon Hill Road
Huntington Station, NY 11746