

# **Ogdensburg Public Library**

## **Freedom of Information Law (FOIL) Policy**

### **Purpose and Scope**

The Ogdensburg Public Library, in compliance with New York State Public Officers Law, adopts this Freedom of Information Law policy to explain how members of the public can access records of the Ogdensburg Public Library.

### **FOIL Officer**

The Executive Director is designated as FOIL Officer of the Ogdensburg Public Library.

The FOIL Officer shall:

- Respond to all inquiries relating to the availability to the public of the library's records pursuant to the Freedom of Information Law within five business days following receipt of the request.
- Receive and process requests for access to records in the manner prescribed by law.
- Comply with these and all other duties as itemized by law.

### **FOIL Requests**

FOIL requests shall:

- Be submitted to the FOIL Officer in writing, either in letter format or using the Ogdensburg Public Library's FOIL Application Form.
- Specify whether the petitioner wishes to see and read the requested item or receive a copy.
- Include a detailed description of the records that are being sought including, but not limited to, dates, titles, file designations, and any other information that will assist the Ogdensburg Public Library in locating the requested records.
- Require payment for copies in excess of five (5) pages.
- Require payment for staff time in excess of two (2) hours.

### **FOIL Response**

Within five (5) business days of the receipt of a compliant written request, Ogdensburg Public Library will:

- Make the record available to the requestor;
- Furnish a written acknowledgement of the receipt of the request and a statement of the approximate date when the information will be made available; or
- Deny access in writing, state the basis for denying access, and provide information on how to appeal such denial.
- Include an estimated cost for fees associated with copies and/or staff time.

If Ogdensburg Public Library does not respond to a request in accordance with the above standard, the request should be considered to have been denied.

## **Appealing a Denial of Access**

All appeals of a denial of a request for Ogdensburg Public Library records must be submitted in writing within thirty (30) days of the denied request, either in letter format or using Ogdensburg Public Library's FOIL Appeal Form.

The Ogdensburg Public Library's FOIL Appeals Officer shall be the Chairperson of the Ogdensburg Public Library Board of Trustees

An appeal must include the date of the original FOIL request, a detailed description of the records that are being sought including but not limited to dates, titles, file designations, or any other information that will help the Ogdensburg Public Library to find the requested records, and the reason provided for the denial.

The Ogdensburg Public Library FOIL Appeals Officer will independently review the withheld records and the basis for withholding them. The Ogdensburg Public Library FOIL Appeals Officer will respond in writing to the appealing party within ten (10) business days after the appeal is perfected with his or her determination as to whether the requested records were properly withheld or must be released.

Copies of all appeals and the determinations will be sent by the Ogdensburg Public Library to the Committee on Open Government.

## **Inspection and/or Copying Records**

When access to records is granted, records may be inspected at the library in the presence of the FOIL Officer or designee during regular hours of library operation, as arranged in advance by the FOIL Officer.

Determination of an employee designee will be made by the FOIL Officer:

- Information related to personnel records will be handled only by the Executive Director.
- Information related to financial records will be handled only by the Executive Director or Senior Account Clerk.

No original record may be removed from the custody of the FOIL Officer or designee.

If the original of the record includes information, details, and/or particulars requiring deletion, the individual requesting shall only be permitted to inspect a copy of the record with deletions.

Copying and deletion of the record will be performed by the FOIL Officer or designee upon payment for both copying and/or staff time.

## **Fees**

The fee schedule is as follows:

- Copying in excess of five (5) pages shall be at the rate of \$0.25 per page, not to exceed the rate established by law.
- Staff time in excess of two (2) hours shall be at the lowest hourly rate for an employee qualified to perform the tasks, not to exceed the rate established by law.

**Severability Clause**

In the event any provision or part of this Policy is found to be invalid or unenforceable, only that particular provision or part so found, and not the entire Policy, will be inoperative.

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**Approved by the Ogdensburg Public Library Board of Trustees on August 3, 2022.**



**Ogdensburg Public Library  
Freedom of Information Law (FOIL)  
Application for Public Access to Records**

This form is for application to the Ogdensburg Public Library

MAIL TO: Chairperson, Board of Trustees      -or-      EMAIL TO: ogdlib@ncls.org  
Ogdensburg Public Library  
312 Washington Street  
Ogdensburg, NY 13669

I hereby appeal:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Representing

\_\_\_\_\_  
Email

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

Date of Original Request: \_\_\_\_\_

Records Requested: \_\_\_\_\_

\_\_\_\_\_  
Reason Provided for Denial: \_\_\_\_\_

**FOR LIBRARY USE ONLY**

Denial Upheld      ( )

Denial Reversed      ( )

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date