

BANCROFT PUBLIC LIBRARY

FREEDOM OF INFORMATION LAW (FOIL) POLICY

Purpose and Scope

The Bancroft 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 Bancroft Public Library.

FOIL Officer

The Library Director is designated as FOIL Officer of the Bancroft 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 (5) 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 Bancroft 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 Bancroft Public Library in locating the requested records.
- Require payment for copies exceeding five (5) pages.
- Require payment for staff time exceeding two (2) hours.

FOIL Response

Within five (5) business days of the receipt of a compliant written request, Bancroft 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 Bancroft 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 Bancroft Public Library records must be submitted in writing within thirty (30) days of the denied request, either in letter format or using Bancroft Public Library's FOIL Appeal Form.

The Bancroft Public Library's FOIL Appeals Officer shall be the President of the Bancroft 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 Bancroft Public Library to find the requested records, and the reason provided for the denial.

The Bancroft Public Library FOIL Appeals Officer will independently review the withheld records and the basis for withholding them. The Bancroft 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 Bancroft Public Library to the New York State 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 (posted at bancroftlibrary.org), 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 Library Director.
- Information related to financial records will be handled only by the Library Director Board of Trustees Treasurer or Finance Officer.

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 exceeding five (5) pages shall be at the rate specified in the Internet and Electronic Resources Policy, not to exceed the rate established by law.
- Staff time exceeding 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.

Adopted: October 8, 2024

BANCROFT PUBLIC LIBRARY FREEDOM OF INFORMATION LAW (FOIL)

APPLICATION FOR PUBLIC ACCESS TO RECORDS

This form is for application to the Bancroft Public Library

MAIL TO: Library Director -or- EMAIL TO: slm-director@sals.edu
Bancroft Public Library
181 South Main Street
P. O. Box 478
Salem, NY 12865

I hereby apply to (1) inspect () OR (2) obtain a copy of () the following record:

Signature

Date

Print Name

Telephone

Representing

Email

Mailing Address

FOR LIBRARY USE ONLY

Approved ()

Denied (for the reasons checked below) ()

Confidential Disclosure

() Part of investigatory files

() Unwarranted invasion of personal privacy

() Record of which the Bancroft Public Library is legal custodian cannot be found () Record is not maintained by the Bancroft Public Library

() Exempted by statute other than the Freedom of Information Act ()

Other (Specify)

Signature

Date

Title

Received by

Date

BANCROFT PUBLIC LIBRARY FREEDOM OF INFORMATION LAW (FOIL)

APPEAL APPLICATION FOR PUBLIC ACCESS TO RECORDS

This form is for appealing denial of application to the Bancroft Public Library

MAIL TO: President Board of Trustees -or- EMAIL TO: slm-director@sals.edu
Bancroft Public Library
181 South Main Street
P. O. Box 478
Salem, NY 12865

hereby appeals:

_____	_____
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