



FOIL Request and Response Policy

Approved: 01/09/2025

Last Reviewed:

Purpose and Scope

The Walworth-Seely Public Library (the "Library") shall furnish to the public the information and records required by the Freedom of Information Law ("FOIL"), as well as records otherwise available by law.

Records Access Officer

The Board of Trustees is responsible for ensuring compliance with FOIL, and designates the following person(s) as Records Access Officer(s):

Records Access Officer

Job Title: Library Director

Public Office: 3600 Lorraine Drive
Walworth, NY 14568

Email: walworthlibrarydirector@owwl.org

Alternate

Job Title: Bookkeeper

Public Office: 3600 Lorraine Drive
Walworth, NY 14568

Email:
walworthbookkeeper@owwl.org

The Records Access Officer is responsible for ensuring appropriate Library response to public requests for access to records. The Alternate will assume the responsibilities of the Records Access Officer in the event that they are unavailable due to illness, scheduled time off, leave, etc. To that end, the Records Access Officer shall ensure that Library personnel:

- a) Maintain an up-to-date subject matter list consistent with the Library's records management policies and Document Retention Policy.
- b) Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records.
- c) Contact persons seeking records when a request is voluminous or when locating the records involves substantial effort, so that personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of records requested.
- d) Upon locating the records, take one of the following actions:
 - i. Make records available via copying or inspection; or
 - ii. Deny access to the records in whole or in part and explain in writing the reasons therefor.
- e) Upon request for copies of records:



- i. Make a copy available upon payment or offer to pay established fees per this policy; or,
 - ii. Permit the requester to copy those records.
- f) Upon request, certify that a record is a true copy; and
- g) Upon failure to locate records, certify that:
- i. The Library is not the custodian for such records, or
 - ii. The records of which the Library is a custodian cannot be found after diligent search.

Posted Notice

The Library shall post the Model Public Notice (Appendix A) at the following public locations:

Near the public printer in the library and on the library's website

Hours for Public Inspection:

Requests for public access to records shall be accepted during regular library operating hours. The Records Access officer will contact the person seeking records to set up an appointment during regular operating hours to view the records, if applicable.

Requests for Public Access to Records:

1. To ensure clarity, a written request is required; oral requests will not be accepted.
2. If records are maintained on the internet, the requester shall be informed that the records are accessible via the internet and in printed form either on paper or other information storage medium.
3. The Records Access Officer shall generate response within five business days of receipt of a request by:
 - a) informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would enable that person to request records reasonably described;
 - b) granting or denying access to records in whole or in part;
 - c) acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than twenty business days after the date of the acknowledgment, or if it is known that circumstances prevent disclosure within twenty business days from the date of such acknowledgment, providing a statement in writing indicating the reason for inability to grant the request within that time and a date certain, within a reasonable



- period under the circumstances of the request, when the request will be granted in whole or in part; or
- d) if the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within twenty business days of such acknowledgment, but circumstances prevent disclosure within that time, providing a statement in writing within twenty business days of such acknowledgment specifying the reason for the inability to do so and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part.
4. In determining a reasonable time for granting or denying a request under the circumstances of a request, the Records Access Officer shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the Library, and similar factors that bear on the ability to grant access to records promptly and within a reasonable time.
 5. A failure to comply with the time limitations described herein shall constitute a denial of a request that may be appealed. Such failure shall include situations in which the Records Access Officer:
 - a) fails to grant access to the records sought, denies access in writing or acknowledge the receipt of a request within five business days of the receipt of a request;
 - b) acknowledges the receipt of a request within five business days but fails to furnish an approximate date when the request will be granted or denied in whole or in part;
 - c) furnishes an acknowledgment of the receipt of a request within five business days with an approximate date for granting or denying access in whole or in part that is unreasonable under the circumstances of the request;
 - d) fails to respond to a request within a reasonable time after the approximate date given or within twenty business days after the date of the acknowledgment of the receipt of a request;
 - e) determines to grant a request in whole or in part within twenty business days of the acknowledgment of the receipt of a request, but fails to do so, unless the Library provides the reason for its inability to do so in writing and a date certain within which the request will be granted in whole or in part;
 - f) does not grant a request in whole or in part within twenty business days of the acknowledgment of the receipt of a request and fails to provide the



reason in writing explaining the inability to do so and a date certain by which the request will be granted in whole or in part; or

- g) responds to a request, stating that more than twenty business days is needed to grant or deny the request in whole or in part and provides a date certain within which that will be accomplished, but such date is unreasonable under the circumstances of the request.

Subject Matter List:

The Records Access Officer shall maintain a reasonably detailed and annually updated list by subject matter of all records in its possession. Such list shall comport with the requirements of the Local Government Schedule, LGS-1.

Denial of Access to Records:

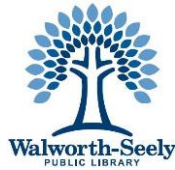
1. Denial of access to records shall be in writing stating the reason therefore and advising the requester of the right to appeal to the Appeals Officer, whom shall be identified by name, title, business address and business phone number.
2. If requested records are not provided promptly, as required in the section titled “**Requests for Public Access to Records**” of this policy, such failure shall also be deemed a denial of access.

The following person or persons or body shall determine appeals regarding denial of access to records under the Freedom of Information Law:

Job Title: WSPL Board Secretary
Public Office: 3600 Lorraine Drive
Walworth, NY 14568
Email: wsplfoilappeal@gmail.com

Any person denied access to records may appeal in writing within thirty days of a denial.

3. The time for deciding an appeal by the Appeals Officer shall commence upon receipt of a written appeal identifying:
 - a) the date and location of requests for records;
 - b) a description, to the extent possible, of the records that were denied; and
 - c) the name and return address of the person denied access
4. A failure to determine an appeal within ten business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute a denial of the appeal.



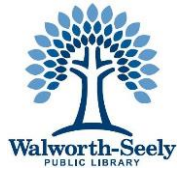
The Appeals Officer shall transmit to the Committee on Open Government copies of all appeals upon receipt of appeals. Such copies shall be sent by email to coog@dos.ny.gov or mailed to the address below:

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

5. The Appeals Officer shall inform the appellant and the Committee on Open Government of its determination in writing within ten business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government in the same manner as set forth subdivision (f) of this section.

Fees:

1. There shall be no fee charged for:
 - a) inspection of records;
 - b) search for records; or
 - c) any certification pursuant to this part.
2. Electronic Copies may be provided without charging a fee if available.
3. Fees for copies will be charged, with the following parameters:
 - a) the fee for copying records shall not exceed 20 cents per page for photocopies
 - b) The Library has the authority to redact portions of a paper record and does so prior to disclosure of the record by making a photocopy from which the proper redactions are made.
4. The fee a Library may charge for a copy of any other record is based on the actual cost of reproduction and may include only the following:
 - a) an amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time is necessary to do so; and
 - b) the actual cost of the storage devices or media provided to the person making the request in complying with such request; or
 - c) the actual cost to the Library of engaging an outside professional service to prepare a copy of a record, but only when a Library's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.
5. When a Library has the ability to retrieve or extract a record or data maintained in a computer storage system with reasonable effort, or when doing so requires



less employee time than engaging in manual retrieval or redactions from non-electronic records, the Library shall be required to retrieve or extract such record or data electronically. In such case, the Library may charge a fee in accordance with paragraph (4)(1) and (2) above.

6. A Library shall inform a person requesting a record of the estimated cost of preparing a copy of the record if more than two hours of a Library employee's time is needed, or if it is necessary to retain an outside professional service to prepare a copy of the record.
7. A Library may require that the fee for copying or reproducing a record be paid in advance of the preparation of such copy.
8. A Library may waive a fee in whole or in part when making copies of records available.



APPENDIX A: PUBLIC NOTICE

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. Walworth-Seely 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:

3600 Lorraine Drive
Walworth, NY 14568

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

1. Library officials who have in the past been authorized to make records available
2. Records Access Officer(s)

Records Access Officer

Job Title: Library Director
Public Office: 3600 Lorraine Drive
Walworth, NY 14568
Email:
walworthlibrarydirector@owwl.org

Alternate

Job Title: Bookkeeper
Public Office: 3600 Lorraine Drive
Walworth, NY 14568
Email:
walworthbookkeeper@owwl.org

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

Job Title: WSPL Board Secretary
Public Office: 3600 Lorraine Drive
Walworth, NY 14568
Email: wsplfoilappeal@gmail.com