Freedom of Information Law (FOIL) Policy

Any requests for school records or information from a school must be submitted, in writing, to the school’s Assistant Principal of Operations, or to Teghan DeLane, General Counsel and FOIL Officer for Ascend Charter Schools, at teghan.delane@ascendlearning.org. Within five (5) business days of receipt of a written request, the school, depending on the requested information, will respond by making the information available at the school during normal business hours to the person requesting it\(^1\); denying the request in writing; or providing a written acknowledgment of receipt of the request that supplies an approximate date for when the request will be granted or denied.

If the person requesting information is denied access to a record, they may, within thirty (30) days, appeal such denial to the Ascend Charter Schools Board of Trustees in writing at info@ascendlearning.org. The appeal should identify the date and location of requests for records; a description of the records that were denied; and the name and return address of the person denied access. Upon timely receipt of such an appeal, the Board, within ten (10) business days of the receipt of the appeal, will inform the appellant in writing of its determination. The Board will also forward a copy of the appeal, as well as its ultimate determination, to the Committee on Open Government. If further denied, the person requesting information may appeal through an Article 78 proceeding.

The school may deny access to requested records if any of the following conditions apply:

- Such records are specifically exempted from disclosure by state or federal statute;
- Such access would constitute an unwarranted invasion of personal privacy;
- Such records, if disclosed, would impair present or imminent contract awards or collective bargaining negotiations;
- Such records are trade secrets and which, if disclosed, would cause substantial injury to the competitive position of a commercial enterprise;
- Such records are compiled for law enforcement purposes and which, if disclosed, would meet the conditions set forth in Public Officers Law §87(2)(e);
- Such records, if disclosed, would endanger the life or safety of any person;
- Such records are computer access codes; or
- Such records are internal materials that are not statistical or factual tabulations of data, instructions to staff that affect the public, a final policy, nor external audits.

The school may charge a copying fee for each page requested to be copied. The fee will be no more than the fee allowed by state law. Types of records held by the school may include safety records, school SAVE plans, reports of Fire Department inspections, school contracts, management contract records, outside contract records, personnel files, fingerprint clearance records, and certification records.

A notice with the name of the FOIL Officer and appeals body will be posted in a conspicuous location wherever records are kept.

Additional information regarding FOIL and the Open Meetings Law can be found on the New York State Committee on Open Government’s website.

\(^1\) Due to the COVID-19 pandemic, requested records will be provided electronically.