



Public Access to Records

Policy GO001

Volume 8, Governance

Responsible Administrator(s): General Counsel and Secretary of the College and Vice President for Human Resource Management and Labor Relations

Responsible Office(s): The Office of the General Counsel and the Office of Human Resource Management and Labor Relations

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Policy Statement

The New York Freedom of Information Law is a series of laws designed to guarantee that the public has access to public records of governmental bodies in New York as set forth in the Public Officers Law of the Consolidated Laws of New York (N.Y. Pub. Off. Law Article 6 §84 et seq. ("FOIL")). As applied to FIT, the law makes certain business and operating records of the college available to the public. The following information in the policy is in accordance with the NY FOIL statute as of the date of this policy; the college reserves the right to modify this policy in accordance with any amendments to the statute.

Reason for the Policy

The Fashion Institute of Technology reaffirms its compliance with the New York Freedom of Information Law. Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.

Who is Responsible for this Policy

- Records Access Officer (General Counsel and Secretary of the college)
- Records Access Appeals Officer (Vice President for Human Resource Management and Labor Relations)

Who is Affected by this Policy

- All members of the FIT community

Definitions

N/A

Principles

FOIL requires the State University of New York to make certain records available to the public. As such, the college has designated a Records Access Officer to whom all requests for information from the college should be directed. The college must make all records available for inspection except those that

by law fall within one of the nine categories of deniable records under Article 6 §87(2) of the New York State Public Officers Law. If a request to access records is denied, an appeal may be filed with the Records Access Appeals Officer.

The college reserves the right to charge and collect such fees as are necessary for the compiling, copying, and production of requested records in accordance with the Freedom of Information Law.

Responsibilities

- **Records Access Officer:** Ensures compliance with FOIL and with this policy through appropriate response to requests for access to records.
- **Records Access Appeals Officer:** Reviews the denial of access to any record and responds to the requestor with final determination and rationale.

Procedures

Requests should:

- Be made in writing;
- Reasonably describe the records sought, as specifically as possible, including dates, titles, specific files, or designations, where possible; and
- State whether the requestor wishes to review the information electronically, on-site during normal college business hours, or have copies produced for a potential fee.

Handling Requests:

Within five business days of the receipt of a reasonably and sufficiently described written request, FIT will:

- Make such records available to the requestor; or
- Deny such request in writing; or
- Furnish a written acknowledgement of the receipt of such request and a statement of the approximate date when such request will be granted or denied.

If the Records Access Officer determines to grant a request, in whole or in part, and if circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgement of the receipt of the request, FIT shall state in writing both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.

Denial of Access and Appeals:

- A denial of access will be provided in writing, stating the reason for the denial and advising of the right to appeal the decision through the appropriate channels.
- An appeal must be requested within thirty days, in writing, to the Records Access Appeals Officer.
- Upon receipt, the college has ten business days to fully explain in writing the reasons for further denial of access or shall provide access to the records under the procedure guidelines.

Violations

N/A

Related Policies

- [Family Educational Rights and Privacy Act \(FERPA\)](#)
- [Records Retention and Disposition](#)

Related Documents

- [Freedom of Information Law \(FOIL\) - Public Officers Law, Article 6](#)
- [HIPAA](#)
- [Committee on Open Government](#)

Contacts

- **Records Access Officer**
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- **Records Access Appeals Officer**
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