Memorandum to Presidents

Date: August 27, 1974

From: University Counsel & Vice Chancellor
for Legal Affairs

Subject: Freedom of Information Law II

The Committee on Public Access to Records created by the Freedom of Information Law held a first informal meeting on August 22, 1974 and authorized "Interim General Guidelines" which are attached. I have also enclosed a copy of the full text of the law, for your information and files.

As you know, the law becomes effective on September 1, 1974. On September 4th, the Executive Committee of the Board of Trustees will be asked to adopt a resolution which prescribes rules for the state-operated institutions of the State University. Pending official notification of Trustee approval, I recommend that the proposed resolution, copy attached, should be accorded presumptive authority.

Despite the rather sweeping language of section 85 of the law, entitled "Legislative Intent", only the substantive provisions of the statute, principally section 88, create actual rights and duties. This, of course, does not mean that only those items of information covered by the law may be revealed. On the contrary, our traditional and informal habits of responding to inquiries by the press and public may and should continue. Section 88, subsection 1, paragraphs a through i, define the records which, under the statute, must be made available for inspection and copying. At the campus level these would include:

1. Statements of policy issued by, or on the authority of, the chief administrative officer (see subsection 1-b).

Concededly, only the Board of Trustees may issue "statements of policy and interpretation which have been adopted by the agency." However, given
the spirit of the law and recognizing the discretion vested by the Board in chief administrative officers, it seems appropriate to include those presidential statements which intend to prescribe or guide future institutional action, even though such statements may not have been promulgated or otherwise explicitly authorized by the Trustees.

2. Minutes of the College Council Meetings (see subsection 1-c).

While Councils are not, strictly speaking, the "governing body" of the University, they nevertheless enjoy limited statutory powers affecting the campus. Accordingly, it seems fitting that subsection 1-c should be construed to cover the official proceedings of the Councils.

3. Internal or external audits and statistical or factual data made by or for the campus (see subsection 1-d).

Until the Committee defines "audit" in further detail, it may be presumed that fiscal audits are intended. At this point, it is unclear whether program evaluations and similar agency critiques will be included.

4. Administrative staff manuals and instructions to staff that affect members of the public (see subsection 1-e).

Presumably, matters relating only to employees, students, or the manner and method of internal operations of the institution are not included. Parents, applicants for admission, visiting motorists on campus streets and outsiders doing business with the campus, for example, are probably "the public". Staff, professors, or students of the University itself are probably not included. The Committee, hopefully, will clarify this provision at some future date.

5. Police blotters and booking records (see subsection 1-f).

While campus security departments are not technically police departments, the next subsection (g) speaks of "law enforcement agencies". Hence, our security forces should be deemed included. However, please note that subsection 7-d exempts from disclosure any "part of investigatory files compiled for law enforcement purposes". Much remains to be clarified in this area.
6. Name, address, title, salary of all employees (see subsection 1-g).

Only "bona fide members of the news media" may apply to inspect such records and only "upon written notice" submitted on forms to be prescribed by the State Comptroller. A copy of the Comptroller's form is attached. Note, in addition, that no agency need release lists of names and addresses if such lists are to be used for commercial purposes. As to law enforcement officers, only titles and salaries need be released.

7. The final subsection (see subsection 1-i) of section 88-1 recites that other records must be made available if so required by any other section of law. However, the principal "other" law covering public access to records of state agencies, section 66 of the Public Officers Law, has been repealed. Questions arising under this paragraph and under subsection 10 of section 88 will require case by case analysis and advice. As to community colleges, section 51 of the General Municipal Law remains on the books.

The proposed Trustee Resolution parallels the Committee's "Interim Guidelines" and directs chief administrative officers of each state-operated unit to:

1. designate the person charged with the duty of preparing payrolls as the Fiscal Officer;

2. designate a Records Access Officer who shall also prepare the subject matter list;

3. prepare a subject matter list of records produced, filed, or first promulgated after September 1, 1974 to which public access is required under the terms of the Public Information Law. Given the limited number of categories of information declared to be available for inspection under section 88-1, the job of creating and maintaining a current index does not appear unduly burdensome;

4. prescribe the time and place where the Public Access Officer can be reached for the submission of requests for access to information;
5. charge and collect such fees for copying of records as may be established by the Chancellor or Vice Chancellor for Finance and Business.

The proposed Trustee resolution authorizes a standard form (attached) for requests for information to be used by each state-operated unit of the University. To facilitate proper administration, all requests for the inspection and copying of records should be routed to the Records Access Officer. Again, this does not preclude the other informal means of responding to inquiries from press and public which have been routinely practiced in the past. Further, nothing in this advisory, the Committee Guidelines, or the proposed Trustee Resolution should be construed to mean that chief administrative officers may not disclose such other information, not privileged or otherwise protected by law, as seems proper under the circumstances. The denial of any application for information may be appealed, in writing, to the University Counsel as designee of the Chancellor under subsection 8 of section 88.

Walter J. Relihan, Jr.

Enclosures

This memorandum addressed to:

Presidents, State-operated campuses

Copies for information only sent to:

Presidents, Community Colleges
Deans, Statutory Colleges
COMMITTEE ON PUBLIC ACCESS TO RECORDS

INTERIM GENERAL GUIDELINES ON PUBLIC ACCESS TO RECORDS

FREEDOM OF INFORMATION LAW SECTIONS 88(2) and 88(4)

I. INTRODUCTION

The following set of guidelines is offered for agency use in developing rules and regulations suitable to its particular needs to implement the Freedom of Information Law. While it is impossible to cover all situations, the Committee has attempted to interpret or clarify certain sections of the law.

Throughout the interim guidelines which follow, our intent has been to develop an orderly process whereby the public may request access to records of government and simultaneously assure that agency personnel may be reasonably expected to react to those requests on a timely basis and in conformance with law.

Agencies are encouraged to adopt the least restrictive rules and regulations consonant with their agency needs and the legislative intent of providing public access to records.

II. DEFINITIONS

When used in this part, the terms hereinafter set forth shall be interpreted in accordance with the following definition:

A. "Agency" shall mean both State and municipal agencies.

B. "Records Access Officer" shall mean the records access officer and his authorized representatives.

III. MUNICIPALITIES

The Freedom of Information Law requires that each agency make
has the option of establishing uniform rules for any group or all agencies in that municipality.

IV. DESIGNATION OF FISCAL OFFICER

The law sets forth the responsibilities of the Fiscal Officer. When a bona fide member of the news media makes a request upon the form prescribed by the Comptroller of the State of New York, the fiscal officer must permit inspection of the payroll record and provide a certified copy. The information to be provided depends upon whether the payroll information sought relates to a law enforcement agency. To identify the fiscal officer to members of the news media, it is suggested that:

A. each agency designate the person charged with the duty of preparing payrolls as the Fiscal Officer, and

B. each agency identify the designated Fiscal Officer by name or specific job title and business address in its regulations.

A copy of the form prescribed by the Comptroller is attached to this document.

V. DESIGNATION OF RECORDS ACCESS OFFICER

The law requires that each agency include in its regulations "the persons from whom such records may be obtained." To identify such persons to the public and to other government employees, it is suggested that these persons be called "Records Access Officers," even if they function only part-time in that capacity. Therefore, it is suggested that:

each agency designate at least one person by name or specific job title to be a Records Access Officer.

VI. LOCATION

The law requires that each agency include in its regulations "...the places such records are available." It is suggested that:

each agency designate the location(s) where records will be available for public inspection and copying.

VII. TIMES

The law requires that each agency include in its regulations "the times...such records are available." We suggest that:

A. where practicable, an agency should make records available for public inspection and copying during regular business
B. where circumstances dictate, an agency may determine specific hours and days for inspection and/or appointment which reflect the agency's optimal effort to meet the public demand for inspection of records.

VIII. FEES

The law requires that agencies make copies of records upon payment or offer to pay the fees allowed by law or rule. It is not the intent of this law to require agencies to absorb the cost of making copies. Therefore, each agency which elects to charge for the cost of copies should:

where permitted by law, establish a fee schedule which covers the actual cost of making copies, except where established in law, rules or regulations prior to September 1, 1974.

The law does not authorize agencies to charge a fee for the following:

A. certifying that a record of which the agency is legal custodian cannot be found,

B. certifying to the correctness of a record, or

C. public inspection of a record.

The intent of the law is not clear regarding the authority of agencies to charge a fee for searches. Until this issue is clarified, each agency may continue established practices or adopt fee schedules as authorized by law.

IX. PUBLIC NOTICE

To assure the public is informed how to request access to public records, certain information should be publicized. We suggest that each agency conspicuously post or otherwise make known to the public the following:

A. the name, title, business address and business telephone number of the designated records access officer,

B. where and when public records will be made available for inspection and copying,

C. the right of appeal by any applicant denied access to a record for whatever reason and the name and business address of the person to whom an appeal is to be directed.
X. REQUESTS FOR ACCESS TO PUBLIC RECORDS

The law requires each agency to establish "procedure, to be followed" for public access to records. Each agency has the authority to determine how requests shall be processed and may require separate procedures for different types of records.

In some circumstances, agencies may require written requests for records and should state this requirement in their rules and regulations. In these cases, a suggested form for processing written requests is attached to this document.

Upon receipt of a request, oral or written, for an identifiable record, the law requires that it be made available promptly. While the Committee recognizes that all records may not be easily accessible, the Records Access Officer should react to requests with dispatch.

Thus it is advisable that the Records Access Officer upon receipt of a request, oral or written, for access to records should promptly:

A. assist the applicant in identifying the records he is seeking.

B. search for the identifiable record.

C. upon locating the record, take one of the following actions:

1. review such records and delete any information which would constitute an unwarranted invasion of personal privacy and thereafter make the record promptly available for inspection or schedule an appointment for inspection, or

2. deny access to the record.

D. upon request for copies of records:

1. make copies available upon payment or offer to pay established fees, or

2. where agency does not have facilities for reproduction of records, permit the applicant to copy those records.

E. upon request, certify to the correctness of the records copied.

F. if the record cannot be located, take one of the following actions:
1. certify in writing that the agency is not the legal custodian for such record, or

2. certify in writing that the record of which the agency is a legal custodian cannot be found.

XI. DENIAL OF ACCESS

The law provides that any individual denied access to a public record may appeal such denial to the head of the agency or his authorized representative. To assure fairness, it is suggested that when the request is first denied, the applicant be given written notice of such denial explaining that he has the right to appeal to the head of the agency or his authorized representative, identified by name and business address.

The attached suggested form provides the notice mentioned above and allows the applicant to file an appeal by delivering a copy of the form to the head of the agency or his authorized representative.

XII. SUBJECT MATTER LIST

The law requires that each agency shall maintain and make available for public inspection and copying a current list, reasonably detailed, by subject matter of any records produced, filed, or first kept or promulgated after September 1, 1974.

The list is intended to aid the public in identifying records and assist agency personnel in finding requested records with reasonable effort. The list should be reasonably detailed to conform with such intent.

To assure the usefulness of the subject matter list, it is suggested that:

A. each agency shall maintain a current list, by subject matter, of all records maintained by the agency.

B. the subject matter list shall be in every location designated as a place where records shall be made available for public inspection and copying.

C. the subject matter list shall be sufficiently detailed to assure that the public seeking access, and the agency personnel responsible for providing information, are able to identify the record.

XIII. COMMITTEE RULES AND REGULATIONS, GUIDELINES AND ADVISORY OPINIONS

The law provides that the Committee shall promulgate and issue...
the deletion of certain details from records to prevent an 
unwarranted invasion of personal privacy. Shortly after 
the formal creation of the Committee and the effective date 
of the law, the Committee will promulgate certain of these 
rules, regulations and guidelines. Thereafter, the Committee 
may issue advisory opinions of a general nature upon written 
request of an agency.

Additionally, whenever any agency determination is reviewed 
pursuant to Article 78 of the Civil Practice Law and Rules, 
as permitted by Section 88(8) of the Freedom of Information 
Law, the agency is requested to forward to the Committee the 
complete record upon review, including copies of any final 
judicial determination.
AN ACT to amend the public officers law, in relation to public access to records of state and local agencies, and to repeal section sixty-six of such law relating thereto.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section sixty-six of the public officers law is hereby repealed.

§ 2. Article six of the public officers law is hereby renumbered to be article seven and a new article six is hereby added thereto, in lieu thereof, to read as follows:

ARTICLE 6

FREEDOM OF INFORMATION LAW

Section 85. Legislative intent.

86. Short title.

87. Definitions.

88. Access to records.

89. Severability.

§ 85. Legislative intent. The legislature hereby finds that a free society is maintained when government is responsive and responsible to the public, and when the public is aware of government actions. The more open a government is with its citizenry, the greater the understanding and participation of the public in government.

As state and local government services increase and public problems become more sophisticated and complex and therefore harder to solve, and with the resultant increase in revenues and expenditures, it is incumbent on the state and its localities to extend public accountability wherever and whenever feasible.

The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.
The legislature therefore declares that government is the public's business and that the public, individually and collectively and represented by a free news media, should have unimpaired access to the records of government.

§ 86. Short title. This article shall be known and may be cited as the "Freedom of Information Law."

§ 87. Definitions. As used in this article: 1. "Agency" means any state or municipal board, bureau, commission, council, department, public authority, public corporation, division, office or other governmental entity performing a governmental or proprietary function for the state of New York or one or more municipalities therein.

2. "Municipality" or "municipal" means or has reference to any city, county, town, village, school district, fire district, water district, sewage district, drainage district or special district established by law for any public purpose.

§ 88. Access to records. 1. Each agency, in accordance with its published rules, shall make available for public inspection and copying:

a. final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

b. those statements of policy and interpretations which have been adopted by the agency and any documents, memoranda, data, or other materials constituting statistical or factual tabulations which led to the formulation thereof;

c. minutes of meetings of the governing body, if any, of the agency and of public hearings held by the agency;

d. internal or external audits and statistical or factual tabulations made by or for the agency;

e. administrative staff manuals and instruction to staff that affect members of the public;

f. police blotters and booking records;

g. an itemized record setting forth name, address, title, and salary of every officer or employee of an agency except officers and employees of the state law enforcement agencies shall be compiled by each fiscal officer charged with the duty of preparing payrolls for such officers and such records shall be made available for inspection by the officer charged with the duty of certifying such payrolls to bona fide members of the news media upon written notice. In the case of the state police and
other law enforcement agencies, the records shall list the officials' titles and salary only, without identifying individual employees. Said written notice shall be made upon a form to be prescribed by the comptroller of the state and shall be reasonable and specify what records are to be requested with particularity. The records may be inspected under the supervision of the particular fiscal officers' office and only in the particular fiscal officers' office during regular working hours and regular working days or at such other place as may be convenient to the particular fiscal officers;

h. final determinations and dissenting opinions of members of the governing body, if any, of the agency; and

i. any other files, records, papers or documents required by any other provision of law to be made available for public inspection and copying.

2. Each agency shall make and publish rules and regulations in conformity with this article, pursuant to such general rules as may be issued by the committee on public access to records, pertaining to the availability, location and nature of such records, including, but not limited to:

a. The times and places such records are available;

b. The persons from whom such records may be obtained;

c. The fees, to the extent authorized by this article or other statute, for copies of such information; and

d. The procedures to be followed.

The governing body of a municipality may make and publish uniform rules for any group of or all agencies in that municipality.

3. To prevent an unwarranted invasion of personal privacy, the committee on public access to records may promulgate guidelines for the deletion of identifying details for specified records which are to be made available. In the absence of such guidelines, an agency or municipality may delete identifying details when it makes records available. An unwarranted invasion of personal privacy includes, but shall not be limited to:

a. Disclosure of such personal matters as may have been reported in confidence to an agency or municipality and which are not relevant or essential to the ordinary work of the agency or municipality;

b. Disclosure of employment, medical, or credit histories or personal references of applicants for employment, except such records may be disclosed when the applicant has provided a written release permitting such disclosure;
c. Disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility;

d. The sale or release of lists of names and addresses in the possession of any agency or municipality if such lists would be used for private, commercial or fund-raising purposes;

e. Disclosure of items of a personal nature when disclosure would result in economic or personal hardship to the subject party and such records are not relevant or essential to the ordinary work of the agency or municipality.

4. Each agency or municipality shall maintain and make available for public inspection and copying, in conformity with such regulations as may be issued by the committee on public access to records, a current list, reasonably detailed, by subject matter of any records which shall be produced, filed, or first kept or promulgated after the effective date of this article. Such list may also provide identifying information as to any records in the possession of the agency or municipality on or before the effective date of this article.

5. In addition to the requirements imposed by subdivision one of this section each agency or municipality controlled by a board, commission or other group having more than one member shall maintain and make available for public inspection a record of the final votes of each member in every agency proceeding in which he votes.

6. Each agency or municipality on request for identifiable records made in accordance with the published rules, shall make the records promptly available to any persons, and, upon payment of, or offer to pay, the fees allowed by law or rule, either make one or more transcripts therefrom, and certify to the correctness thereof, and to the search for such records, or certify that a record, of which that agency is legal custodian, cannot be found.

7. Notwithstanding the provisions of subdivision one of this section, this article shall not apply to information that is:

a. specifically exempted by statute;

b. confidentially disclosed to an agency and compiled and maintained for the regulation of commercial enterprise, including trade secrets, or for the grant or review of a license to do business and if openly disclosed would permit an unfair advantage to competitors of the subject enterprise, but this exemption shall not apply to records the disclosure or publication of which is directed by other statute;
c. if disclosed, an unwarranted invasion of personal privacy, pursuant to the standards of subdivision three of this section; or

d. part of investigatory files compiled for law enforce-
ment purposes.

8. Any party denied access to a record or records of an agency or municipality may appeal such denial to the head or heads, or an authorized representative, of the agency or munici-
pality. If that person further denies such access, his reasons therefore shall be explained fully in writing within seven business days of the time of such appeal. Such denial shall be subject to review in the manner provided in article seventy-
eight of the civil practice law and rules.

9.a. A committee on public access to records is hereby created, to consist of the commissioner of the office of general services or his delegate whose office shall act as secretariat for the committee, the director of the division of the budget or his delegate, the commissioner of the office for local government or his delegate and four other persons who are not elected or appointed officials or employees of any other agency, appointed by the governor, at least two of whom are or have been representa-
tives of the news media. Of the four other persons first appointed, one shall be appointed for a term of four years, one for a term of three years, one for a term of two years and one for a term of one year. Thereafter their respective successors shall each be appointed for terms of four years. The committee shall meet from time to time to:

i. advise agencies and municipalities regarding this article by means of guidelines, advisory opinions, regulations or other means deemed advisable;

ii. promulgate and issue rules and regulations in conformity with this article in relation to subdivisions two and four of this section; and

iii. recommend changes in the freedom of information law in order to further the purposes of this article.

b. The four persons appointed by the governor shall be entitled to receive reimbursement for actual expenses incurred in the discharge of their duties.

10. Nothing in this article shall be construed to limit or abridge any existing right of access at law or in equity of any party to public records kept by any agency or municipality.
§ 89. Severability. If any provision of this article or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of the article or the application thereof to other persons and circumstances.

§3. This act shall take effect September first, nineteen hundred seventy-four.
MEMORANDUM

September 4, 1974

TO: The Executive Committee of the Board of Trustees

FROM: Ernest L. Boyer

SUBJECT: Regulations on Public Access to University Records

I recommend that the Executive Committee, on behalf of the Board of Trustees, adopt the following resolution:

Whereas the Freedom of Information Law (L. 1974, Chs. 578-80; Public Officers Law, Article 6) became effective on September 1, 1974 and the Committee on Public Access to Records has approved "Interim Guidelines" for State and municipal agencies; and

Whereas the Law requires that each agency make and publish rules and regulations pertaining to public access to records; now, therefore, be it

Resolved that Subchapter A of Chapter V of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, be, and hereby is, amended pursuant to Article 6 of the Public Officers Law (Freedom of Information Law), by adding thereto a new Part 311, as follows:

Part 311

Public Access to University Records

Section 311.1 General Procedures. For the purposes of compliance with the Freedom of Information Law, the Chancellor, for the central administration of the University, and the chief administrative officer of each State-operated institution shall:
(a) designate as Fiscal Officer the officer charged with the duty of preparing payrolls for the unit, who shall comply with the provisions of paragraph g of subdivision 1 of section 88 of the Public Officers Law (Freedom of Information Law);

(b) designate a Records Access Officer who shall compile a list, reasonably detailed, by subject matter of any records required by the Freedom of Information Law to be made available for public inspection and copying which are produced, filed, or first kept or promulgated after September 1, 1974;

(c) designate the time and place where the Records Access Officer shall be available for the receipt of applications for records, to be submitted in writing on approved forms. Except for unusual circumstances, each Records Access Officer or designee shall be available during regular business hours on regular working days;

(d) charge such fees for the duplication of records as shall be established by the Chancellor or the Vice Chancellor for Finance and Business; and

(e) conspicuously post or otherwise make known to the public the name, title, business address and business telephone of the Records Access Officer for the state-operated unit together with the hours such officer or other representative shall be available for filing requests for information. Such notice shall also include notification of the right of appeal from a denial of access to information.

311.2 Appeals. Appeals from a denial of access to information by any officer of the University may be taken, in writing, on approved forms, to the University Counsel and Vice Chancellor for Legal Affairs, with offices at 99 Washington Avenue, Albany, New York, as the authorized representative of the Chancellor.

311.3 Duties of Records Access Officer. Each Records Access Officer shall:

(a) assist the applicant in identifying the record or records sought;

(b) determine, preliminarily, whether the record is available for inspection;

(c) search for the identified record, and upon locating the record, take one of the following actions:
The Executive Committee of
the Board of Trustees - 3 - September 4, 1974

(1) review such records and delete any
information which would constitute an un-
warranted invasion of personal privacy and
thereafter make the record promptly available
for inspection or schedule an appointment for
inspection, or

(2) deny access to the record;

(d) upon request for copies of records:

(1) make copies available upon payment
    or offer to pay established fees, or

    (2) where agency does not have facilities
        for reproduction of records, permit the applicant
        to copy those records;

(e) upon request, certify to the correctness of
    the copies of the records;

(f) if the record cannot be located, take one of
    the following actions:

    (1) certify in writing that the agency is not
        the legal custodian for such record, or

    (2) certify in writing that the record of
        which the agency is a legal custodian cannot be
        found; and

(g) if access is denied, advise the applicant of the
    right to appeal to the authorized representative of the
    Chancellor of the University.

311.4 Forms. The Chancellor or his designee shall
 prescribe a standard form or forms to be employed by an
 applicant seeking access to University records or appealing
 from a denial of such application.
TO: RECORDS ACCESS OFFICER

(UNIT OF UNIVERSITY)

(Address)

I HEREBY APPLY TO INSPECT THE FOLLOWING RECORD:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

SIGNATURE _______ DATE _______

REPRESENTING ______________________________

MAILING ADDRESS ______________________________

NOTICE: YOU HAVE A RIGHT TO APPEAL A DENIAL OF THIS
APPLICATION TO THE AUTHORIZED REPRESENTATIVE
OF THE HEAD OF THIS AGENCY: University Counsel
and Vice Chancellor for Legal Affairs whose
mailing address is: 99 Washington Avenue,
Albany, New York 12210

THE APPEAL SHALL BE DECIDED, IN WRITING, WITHIN SEVEN
BUSINESS DAYS OF ACTUAL RECEIPT OF THE NOTICE OF APPEAL.
PLEASE IDENTIFY THE SPECIFIC PROVISION OF THE LAW UPON
WHICH THIS APPEAL IS BASED.

I HEREBY APPEAL:

__________________________________________

SIGNATURE _______ DATE _______
Enclosed are forms entitled:

NOTICE OF INTENTION TO EXAMINE PUBLIC EMPLOYMENT RECORDS

These forms are being distributed to all units of state and local government and to the news media within the state. The State Comptroller has prescribed the content of the form, as he is required to do under Section 88(1)(g) of the Public Officers Law (part of the "Freedom of Information Law") effective September 1, 1974.

In the interest of simplicity, the form contains the minimum entries which will satisfy the statute and provide an adequate record. A file copy should be retained so that the form may be reproduced if additional copies are needed. Please distribute copies to interested personnel. Further information is on the back of each form.

NEW YORK STATE DEPARTMENT OF AUDIT AND CONTROL
NOTICE OF INTENTION TO EXAMINE PUBLIC EMPLOYMENT RECORDS
For use by members of the news media, pursuant to the Freedom of Information Law of the State of New York

TO: The payroll officer or the public information officer of the unit named below.

PLEASE TAKE NOTICE that on the day specified (during your regular business hours, and subject to the rules of your agency) I intend to examine, with the privilege of copying, the particular records specified below.

I CERTIFY that the only purpose of the examination is to gather information as a member of the news media and that it will not be used for any private, commercial, fund raising or other purpose.

<table>
<thead>
<tr>
<th>RECORDS SOUGHT *</th>
<th>Names</th>
<th>Titles</th>
<th>DATE TO BE EXAMINED</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNIT OR AGENCY (AND ANY OTHER PARTICULARS)</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

SIGNATURE OF APPLICANT

DATE

TITLE OF APPLICANT

EMPLOYER

* Check appropriate items. But note that names and addresses of officers and employees of law enforcement agencies may not be released (Public Officers Law, §88(1)g).

See Other Instructions On Reverse Side
August 27, 1974

TO: Presidents - State-operated Campuses
FROM: Harry K. Spindler
SUBJECT: Freedom of Information Law

For purposes of the Freedom of Information Law, effective 1 September, 1974, a minimum fee of $1.00 plus 10¢ per additional page is hereby established for the copying of public records.

[Signature]
Harry K. Spindler