

# Tompkins County Area Development Freedom of Information Law (FOIL) Policy

May 17, 2007

Tompkins County Area Development is a private, not for profit organization that, in general is not subject to New York State Freedom of Information (Public Officers Law, Article 6, Sections 84-90). However, TCAD does manage, and acts as the administrative entity for, government programs which include the IDA and the Empire Zone that are subject to the provisions of the Public Officers Law, commonly known as FOIL. To effectively and equitably respond to requests for information that are subject to FOIL, TCAD will implement the following policy:

1. To every extent possible, TCAD staff will notify businesses interested in participating in TCAD administered government programs that any information submitted may be subject to Freedom of Information (Public Officers Law, Article 6, Sections 84-90).
2. All Freedom of Information (FOIL) requests for TCAD administered government programs should be made in writing directly to TCAD.
3. Upon receiving a written request reasonably describing the record(s) sought, TCAD shall respond to such request within five (5) business days of receipt of the request. If TCAD does not provide or deny access to the record(s) sought within five (5) business days of receipt of a request, TCAD shall furnish a written acknowledgement of receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within thirty (30) business days after the acknowledgement of receipt of a request, the request may be construed as a denial of access that may be appealed.
4. Denial of access shall be in writing stating the reason and advising the person denied access of the right to appeal to TCAD. Any person denied access to records may appeal within thirty (30) days of the denial. An appeal must be in writing and specifically identify the date of the original request for records, the records that were denied, and the name and return address of the appellant. Upon receipt of an appeal, TCAD will, within ten (10) business days, fully explain in writing the reasons for further denial of access or to provide access to the records. TCAD will send copies of all appeals and the determinations to the New York State Department of State Committee on Open Government, 41 State Street, Albany, NY 12231 pursuant to Public Officers Law Section 89(4)(a).
5. TCAD will determine whether the requested information is subject to FOIL and release data accordingly. Only non-proprietary information and/or documents pertaining to specific issues/circumstances may be released, and only to the party named in the FOIL request. Any additional non-proprietary information and/or documents may be released through additional written FOIL requests.
6. TCAD may charge up to twenty-five cents per photocopy, unless a different fee is prescribed by statute.

## **Company Information**

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