

**NORTH MERRICK UNION FREE SCHOOL DISTRICT #29
MERRICK, NEW YORK 11566**

APPLICATION FOR PUBLIC ACCESS RECORDS

TO: Mr. Thomas P. McDaid, Esq., Public Records Access Officer
North Merrick UFSD
1057 Merrick Avenue, North Merrick, NY 11566

I hereby request copies of the following record(s) at the cost of twenty-five cents per copy:
Subject to annex notice.

Please specify records/documents you are requesting:

<hr/> Name (Please Print)	<hr/> Signature
<hr/> Street	<hr/> Date of Request (Today's Date)
<hr/> Town State Zip Code	<hr/> Company/Organization Representing (if any)
<hr/> Telephone Number	

APPROVED []

FOR AGENCY USE ONLY

DENIED (FOR REASON(S) INDICATED BELOW)

- [] Confidential Disclosure
- [] Part of Investigatory File
- [] Unwarranted Invasion Of Personal Privacy
- [] Record Of Which This Agency Is Legal Custodian Cannot Be Found
- [] Record Is Not Maintained By This Agency
- [] Exempted By Statute Other Than The Freedom of Information Act
- [] Request Doesn't Reasonably Describe Record(s) Requested
- [] Other (Specify) _____

<hr/> Signature	<hr/> Title	<hr/> Date
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NOTICE: YOU HAVE A RIGHT TO APPEAL A DENIAL OF THIS APPLICATION TO THE HEAD OF THIS AGENCY WITHIN THIRTY DAYS OF THE DENIAL TO:

**Cynthia Seniuk, Ed.D., Superintendent of Schools
North Merrick UFSD #29
1057 Merrick Avenue
North Merrick, NY 11566**

WHO MUST FULLY EXPLAIN THE REASON FOR SUCH DENIAL, IN WRITING, WITHIN TEN DAYS OF RECEIPT OF AN APPEAL.

I HEREBY APPEAL:

<hr/> Signature	<hr/> Date
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PUBLIC OFFICERS LAW

Public Officers Law §87 sets limits on the costs which an agency may charge those who have requested records: “fees for copies of records ... shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record” (Public Officers Law § 87[1][b][iii]). Section 87(1)(c) of the Public Officers Law defines the term “actual cost.” Under that provision, an agency may only recover the “actual cost” of reproducing the record, including “an amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare a copy of the requested record” (Public Officers Law § 87[1][c][i]). However, the statute provides that “preparing a copy shall not include search time or administrative costs, and no fee shall be charged unless at least two hours of agency employee time is needed to prepare a copy of the record requested” (Public Officers Law § 87[1][c][iv]).

In addition, an agency may recover “the actual cost of the storage devices or media provided to the person making the request in complying with such request” (Public Officers Law § 87[1][c][ii]). It may also recover “the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy” (Public Officers Law § 87[1][c][iii]).