

**BUREAU OF EARLY CHILDHOOD SERVICES**  
**POLICY STATEMENT**

ID NUMBER: 96-3 **(Updated December, 2004)**

TOPIC: Release of Applicant/Provider References

MODALITIES IMPACTED: GFDC; FDC; DCC; SDCC, SACC

APPLICABLE REGULATIONS: 416.13(a) (4); 417.13(a) (4);  
418-1.13(b) (2); 414.13 (b) (2); 418-2.13(a)(4)

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EFFECTIVE: Immediately (Updated December, 2004)  
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THIS POLICY STATEMENT IS EFFECTIVE IMMEDIATELY AND CANCELS ALL PREVIOUS MEMOS OR STATEMENTS ON THIS TOPIC.

The purpose of this policy statement is to discuss whether applicants and providers have access to copies of completed reference forms, or other documents, which provides the responses from references which are received by the Office of Children and Family Services (Office) or its representatives, during the licensing or registration process.

Article 6 of the Public Officers Law, commonly called the Freedom of Information Law (FOIL), governs the release of information by the Office and all other State and local government agencies. FOIL requires that the Office make all records available for inspection unless it meets one of the exceptions listed in the law. One of the listed exceptions provides that information deemed an unwarranted invasion of personal privacy (such as employment histories, medical, credit histories and personal references of applicants for employment), is exempt from disclosure. Due to this exception, references will not be disclosed by the Office in response to FOIL requests.

