

From: Betsy [mailto:betsy@parentadvocates.org]
Sent: Tuesday, November 13, 2007 7:30 AM
To: Kicinski Christine J
Cc: betsy@parentadvocates.org
Subject: FOIL Request from the E-Accountability Foundation

The E-Accountability Foundation
Parentadvocates.org
315 East 65th Street
New York, NY 10021
212-794-8902

Betsy Combier, President
betsy@parentadvocates.org

VIA E-MAIL

Ms. Christine Kicinsky
Central Records Access Officer
Office of Legal Services
New York City Department of Education
52 Chambers Street
New York, NY 10007

November 12, 2007

ckicins@schools.nyc.gov

Dear Ms. Kicinski:

Under the provisions of the New York Freedom of Information Law, Article 6 of the Public Officers Law, I hereby request to obtain/inspect records or portions thereof pertaining to:

- 1) all emails, notes, memos, and training materials given to any employee of The Teacher Performance Unit (TPU).
- 2) all correspondence to/from any consultant/employee of the TPU to an employee/administrator/principal/AP or other in the NYC DOE in any form, electronic or other, during the 2006-2007 school year.
- 3) A list of all the employees who currently work as an employee or a consultant under the employment title "Teacher Performance Unit", and the degrees/certification of each employee.

After the inspection, I may decide to purchase copies of the entire records or certain portions thereof.

If you have any questions relating to the specific records or portions being sought, please phone me at 212-794-8902 so that we may discuss them.

As you know, the Freedom of Information Law requires that an agency respond to a request within five business days of receipt of a request. Therefore, I would appreciate a response as soon as possible and look forward to hearing from you shortly. If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

Sincerely,

Betsy Combier

Editor,

Parentadvocates.org

From: Kicinski Christine J [mailto:CKicins@schools.nyc.gov]

Sent: Tuesday, October 07, 2008 2:41 PM

To: Betsy

Subject: RE: alleged F#5411 appeal response

Ms. Combier:

You have made so many FOIL requests (more than 60 at last count) that I can understand you might be starting to lose track of them. Let me clarify what our records show:

1. Your request of October 10, 2006, which we numbered F#4828, concerned PEP meeting executive sessions and the Open Meetings Law.
2. Your request of November 12, 2007, was numbered F#5411 and concerned documents from the Teacher Performance Unit.
3. You indicate below that you have no responses to #4828 in your file. I sent you a copy of the response yesterday. It was dated November 14, 2006, and was issued by Ms. Holtzman. As a result, I had no involvement in drafting or issuing that decision. Your narrative in the email below seems to take issue with that response. I will offer you an option: either (1) I can review the information you provided below and issue you a letter after I reconsider the matter; or (2) we can treat the information below as an appeal of the decision I sent you yesterday (though it dates back to 2006 and the General Counsel will issue a decision; or

(3) you may submit an appeal of the November 2006 response. Please let me know how you prefer to proceed. We can use yesterday's date as the date of receipt from which you have 30 calendar days to appeal if you choose option 2 or 3.

4. We issued an acknowledgment and several extensions for F#5411. On October 3, 2008, I sent you a partial response and indicated the remaining documents, which had to be reviewed and possibly redacted, would be sent on November 14, 2008. Your appeal was dated September 1, 2008, and alleged the constructive denial of your request even though you had been informed that we expected to respond by September 30. As I indicated on Friday, a letter is being prepared. I regret the delay but several urgent matters have required our attention.
5. Your last 2 requests from last week (##5868 and 5869) are being processed.

Please let me know if you have any questions or if I can help in any other way. I hope I have clarified matters to your satisfaction.

**Christine J. Kicinski | Central Records Access Officer and Asst. Deputy Counsel
Office of Legal Services | 212 374-2988 fax 212 374-5596**

From: Kicinski Christine J [mailto:CKicins@schools.nyc.gov]
Sent: Monday, November 10, 2008 12:40 PM
To: Betsy
Subject: RE: F5411--appeal

We are reviewing TPU documents, and I anticipate that they will be released on Nov 14. I will check on the PEP FOIL.

**Christine J. Kicinski | Central Records Access Officer and Asst. Deputy Counsel
Office of Legal Services | 212 374-2988 fax 212 374-5596**

From: Betsy [mailto:betsy@parentadvocates.org]
Sent: Friday, November 14, 2008 10:14 PM
To: 'Kicinski Christine J'
Cc: 'Betsy'
Subject: RE: F5411

I will expect your response no later than 5PM, November 18, 2008. Please do not extend further.

Betsy Combier

-----Original Message-----

From: Kicinski Christine J [mailto:CKicins@schools.nyc.gov]
Sent: Monday, November 17, 2008 11:04 AM
To: betsy@parentadvocates.org
Subject: Re: F5411

5 PM is not the end of my day. We'll see.

Sent from my BlackBerry Wireless Handheld

From: Kicinski Christine J [mailto:CKicins@schools.nyc.gov]

Sent: Friday, November 14, 2008 7:02 PM

To: Betsy

Subject: F5411

Ms. Combier:

We are finalizing our review and redactions of the TPU documents. I expect to have them ready for release on Tuesday, November 18. Sorry for the delay.

Christine J. Kicinski | Central Records Access Officer and Asst. Deputy Counsel
Office of Legal Services | 212 374-2988 fax 212 374-5596