

## PUBLIC RECORDS

The District's public records, as defined under the Freedom of Information Act ("FOIA"), are available for public inspection and/or copying in accordance with the following administrative guidelines. **The rights and obligation of the District and requesters under FOIA are subject to M.C.L. 15.231, et seq.** Exemptions are specified in M.C.L. 15243.

### **Designation of Officers**

The Superintendent shall be the District Records Officer (DRO) as well as the FOIA Coordinator.

### **Procedures**

The following procedures shall be followed in connection with requests to inspect and secure copies of School District records:

- Requests to inspect or secure copies of records shall be submitted to the superintendent on Form 8310 F1, copies of which are available in the District's Central Office.
- The Superintendent/Designee will determine and advise the requester, within five (5) days, whether the records specified in the request are available for inspection and copying. If a request is denied by the Superintendent/Designee, the requester may seek to compel disclosure or make a written appeal of the denial to the Board. The Board shall act on the appeal within ten (10) days or issue a notice of extension of ten (10) days in which to make the decision.
- With respect to records which are determined to be available, the Superintendent/Designee will direct the requester to place where the requested records may be inspected and will arrange for the preparation and certification of copies upon tender of any required fee. The superintendent/Designee will establish a time and date for inspection and copying of the requested records. If the records are available on the District's website, the district may refer the requester to the website location as its response to the request.
- At the request of the requester, the Superintendent/Designee shall make arrangements for the record to be transmitted electronically via the medium selected by the requester, if the District has the technological capability to comply with the request. If the transmission is an electronic record, the requester is to provide the flash drive/cd at least 48 hours in advance. If the transmission is by E-mail, the requester must provide the proper address.
- With respect to records which are determined not to be available or when there needs to be a delay in responding to the request, the Superintendent/Designee will note the reason on Form 8310 F3 and send one (1) copy of the form to the requester as soon as possible. The district may extend the time for responding to a FOIA request by not more than ten (10) business days.
- Records may be inspected only at the Office of the Central Office or at such other place as may be designated by him/her. No record may be removed from such location. A

member of the staff must be present throughout the inspection and copying of such record.

- Requests by mail, fax or E-mail for copies of available records may be addressed to the Superintendent, and will be honored upon payment of any required fee, provided the requester and the record of which a copy is requested are sufficiently identified to make compliance practicable
- The District is responsible for providing records of the District but not for providing additional information that may be related to a record but is not part of a record. Nor is the district required to create a record if none is available.
- Personnel records are to be considered public records of the District other than those considered to be confidential by law. (See AG 8320.)

### **Location and Time**

Records shall be made available at the District's Office, during the hours of 8:00 a.m. to 3:00 p.m. Monday through Friday, with the exception of the holidays when district schools are closed.

### **Fees**

Upon written request, copies of said records shall be provided for a fee which will be no more than the actual cost for the duplication plus any allowable costs which will be charged at an hourly rate equal to the lowest paid full-time staff member capable of retrieving, examining and/or reviewing the information being sought by the requester. The FOIA Coordinator shall be responsible for determining which type of public records requests could require a fee payment for search, examination, review, deletion, and separation of exempt from nonexempt information in the record, because the cost would create unreasonably high costs to the District. In such instances, the requester is to be informed in advance, of the special fees and the reasons thereof.

M.C.L. 15.231, et seq.