PUBLIC RECORDS

The District’s public records, as defined under the Freedom of Information Act, are available for public inspection and/or copying in accordance with the following administrative guidelines. The rights and obligations of the District and requestors under FOIA are subject to M.C.L. 15.231, et seq. Exemptions are specified in M.C.L. 15.243.

A. Designation of Officers

1. The Director of Public Relations and Communications shall be the District records officer (DRO) as well as the FOIA coordinator.

B. Procedures

1. The following procedures shall be followed in connection with requests to inspect and secure copies of school district records:

   a. Requests to inspect or secure copies of records shall be submitted to the Director of Public Relations and Communications.

   b. The public relations and communications office will determine and advise the requestor, within five (5) business days, whether the records specified in the request are available for inspection and/or copying. Requests made by facsimile, electronic mail, or other electronic transmissions will be considered as received one business day after the electronic transmission is made. If a request is denied by the District, the requestor may seek to compel disclosure or make a written appeal of the denial to the Superintendent. The Superintendent 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.

   c. With respect to records which are determined to be available, the Director of Public Relations and Communications will direct the requestor to the 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 Director of Public Relations and Communications 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 requestor to the website location as its response to the request.
d. Records may be inspected only at the public relations and communications 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.

e. At the request of the requestor, the Director of Public Relations and Communications shall make arrangements for the record to be transmitted electronically via the medium selected by the requestor, if the District has the technological capability to meet the request.

f. 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 Director of Public Relations and Communications will note the reason to the requestor as soon as possible. The District may extend the time for responding to a FOIA request by not more than ten (10) business days.

g. Requests by mail, fax, or e-mail for copies of available records may be addressed to the Director of Public Relations and Communications and will be honored upon payment of any required fee, provided the requestor and the record of which a copy is requested are sufficiently identified to enable compliance.

h. 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.

i. Personnel records are to be considered public records of the District other than those considered to be confidential by law. (See AG 8320.)

j. All written FOIA requests will be maintained on file for no less than one year in the public relations and communications office.

Location and Time

Records shall be made available at the Director of Public Relations and Communication’s Office, during the hours of 8:00 a.m. to 4:00 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 requestor. 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 requestor is to be informed, in advance, of the special fees and the reasons thereof.

LEGAL CITATION: MCLA 15.234, et seq., MCLA 15.231, et seq., Attorney General Opinion 8320

ADMINISTRATIVE REGULATION

Approved: April 19, 2005
Amended: July 21, 2015