

## **2810 Public Review and Inspection of Records**

The Board of Education recognizes its responsibility to maintain the public records of this District and to make such records available to residents of Michigan for inspection and reproduction.

The public records of this District include any writing or other means of recording or retaining meaningful content prepared, owned, used in the possession of, or retained by the District, its Board, officers, or employees, subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA).

Any person may make a written request for any public records of the District. The person may inspect, copy, or receive copies of the public record requested. The District shall respond to such requests within five (5) working days after receipt unless otherwise agreed to in accordance with the Freedom of Information Act.

A resident may purchase copies of the District's public records upon payment of a fee. No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

The Board chooses not to provide for enhanced access to any of its public record.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this District, except student records and certain portions of personnel records.

The Superintendent is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or E-mail, providing the message does not alter existing District records.

The Superintendent shall establish administrative guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Approved: June 13, 2007

Revised: First Reading of revision on July 8, 2015

MCL 15.231, et. seq. (*Freedom of Information Act*)

## **2810-R Public Review and Inspection of Records (Cf. 8940 et seq.)**

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. 15.243

### **Designation of Officers**

The Executive Administrator 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:

1. Request to inspect or secure copies of records shall be submitted to the Executive Administrator on Form 2810 F1, copies of which are available in the Office of the Superintendent.
2. The Executive Administrator 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 Executive Administrator, the requestor 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.
3. With respect to records which are determined to be available, the Executive Administrator will direct the requester 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 Executive Administrator 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.
4. 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 Executive Administrator will note the reason on Form 2810 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.
5. Records may be inspected only at the Office of the Executive Administrator 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.

6. Requests by mail, fax, or E-mail for copies of available records may be addressed to the Executive Administrator, 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 make compliance practicable.
7. 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.
8. Personnel records are to be considered public records of the District other than those considered to be confidential by law.

#### **Location and Time**

Records shall be made available at the Superintendent's Office, during the hours of 8:00 a.m. to 4:30 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.

Approved: June 13, 2007

Revised: First Reading of revision on July 8, 2015

M.C.L. 15.231, et. Seq (*Freedom of Information Act*)

## 2810-R1 – Denials of Freedom of Information Act Request

Section 5 of the Michigan Freedom of Information Act (FOIA) states that written denials, in whole or in part, for information requested under the Freedom of Information Act must include "a full explanation of the requesting person's right to seek judicial review." This explanation must include a notification of the person's potential "right to receive attorney fees and damages."

On \_\_\_\_\_, the District received your request under the Freedom of Information Act for

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We have denied your request for this material for the reason(s) that:

(Be sure to give an explanation of all reasons for denying the request, including those found in Sections 10 and 13 of the Freedom of Information Act, MCLA 15.243. Include as many reasons for denial as can reasonably be claimed since reasons which are relied on later but which are not stated in the denial letter may be determined to have been raised in an untimely fashion.)

We will be able to provide the information you requested but will need ten (10) days to retrieve it and prepare a copy.

(Be sure to indicate the number of days which may not exceed ten (10) and provide the reason for the extension beyond five (5) days.)

If certain information contained in a public record which you have decided to disclose is being separated or deleted, the statute requires that a description of that separated or deleted information be included.

Approved: First Reading on July 8, 2015

PUBLIC RECORDS REQUEST  
**FORM 2810 F1**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Business Telephone: \_\_\_\_\_

\_\_\_\_\_ I wish a copy of the following record(s): (specify) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I wish to review the following record(s): (specify) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand I will be contacted within \_\_\_\_\_ days, excluding weekends and holidays, as to when I may view these records. I also understand if I request a copy made of these records, the copies will be provided to me at cost. I further understand I am not allowed to remove any record(s) from the office where they are maintained.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

.....  
The records you wish to review and/or copy will be available on \_\_\_\_\_ at  
the administration office.

\_\_\_\_\_  
Records Officer

\_\_\_\_\_  
Date

.....  
RECEIPT/ACKNOWLEDGEMENT FORM

I hereby acknowledge that I have been given copies of and/or have been permitted to review the public records requested above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

PUBLIC RECORDS INSPECTION /COPYING RECORD  
**FORM 2810 – F2**

Requestor: \_\_\_\_\_

Date of Review/Copying: \_\_\_\_\_

Request Form Submitted, Approved, and Signed: \_\_\_\_\_

Viewing Monitored By: \_\_\_\_\_  
Name

Time Spent: \_\_\_\_\_ Date: \_\_\_\_\_

Records Refiled By: \_\_\_\_\_

Requested Copies Made By: \_\_\_\_\_

Time Spent: \_\_\_\_\_ Date: \_\_\_\_\_

No. of Pages: \_\_\_\_\_ Total Fee: \$ \_\_\_\_\_ Payment Received: \_\_\_\_\_

Requester has signed that request has been fulfilled.

RESPONSE TO PUBLIC RECORDS REQUEST

**Form 2810 – F3**

TO: \_\_\_\_\_

You requested records from \_\_\_\_\_ School District.

1. \_\_\_\_\_ Because of unusual circumstances, the District requires an additional \_\_\_\_\_ business days to respond to your request.

2. \_\_\_\_\_ This is a certification that the following records do not exist under the name given by the requester or by another name known to the District, or are not retained by the District in the performance of an official function:

\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_ The following records you request are exempt because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. \_\_\_\_\_ Your request is granted for all other records you requested.

\_\_\_\_\_ Copies of those records are attached.

\_\_\_\_\_ You may obtain copies of those records by first paying a fee of \$ \_\_\_\_\_ for the cost of processing your request.

\_\_\_\_\_ We will copy these records after you have paid a deposit of \$ \_\_\_\_\_, which is one-half of the copying charge of \$ \_\_\_\_\_ which you must pay in full upon receipt of the records.

\_\_\_\_\_ You may inspect the records at this office on \_\_\_\_\_ at \_\_\_\_\_ o'clock. You may copy or order copies of those records after inspection upon payment of the fee for processing requested copies.

\_\_\_\_\_  
Records Officer

\_\_\_\_\_  
Date