

FREEDOM OF PUBLIC RECORDS AND INFORMATION

- A. The Superintendent of the District, or his/her designee, should be the FOIA Coordinator.
- B. The FOIA Coordinator shall accept, process and respond to written requests for public records of the District in accordance with MCL 15.231 *et seq.*, and all related state and federal statutes governing freedom of public records and information.
- C. Except as provided in Paragraph E below, the District shall charge a fee to cover the cost of providing access to and/or copies of public records. The fee shall be limited to actual mailing costs, actual cost of duplication or publication, including labor and, if the requirements of Paragraph D are met, the cost of searching, examining, reviewing, deleting and separating exempt information from non-exempt information. In calculating the cost of labor incurred in duplicating and mailing the public records and the cost of examining, reviewing, separating and deleting exempt from non-exempt information, the District may not charge more than the hourly wage of the lowest paid employee of the District capable of retrieving, copying and mailing the information necessary to comply with the request. All fees charged by the District shall be uniform and shall not be dependent upon the identity of the requesting person.

Upon receiving a request, the FOIA Coordinator shall inform the person making the request of the estimated cost for processing the request. If the estimated fee exceeds \$50, the FOIA Coordinator shall require a good faith deposit from the person requesting the public records in the amount of one-half (1/2) of the total estimated fee before processing the request.

The FOIA Coordinator shall perform a public record search and provide copies of public records without charge for the first \$20 of the fee for each request to an individual who is entitled to information under MCL 15.231 *et seq.* who submits an affidavit stating that the individual is receiving public assistance, or, if not receiving public assistance, states facts sufficient to establish his/her inability to pay because of indigency.

- D. The District may only charge a fee for the cost to search, examine, review, delete and separate exempt from non-exempt information if failure to charge a fee would result in unreasonably high costs to the District because of the nature of the particular request and the District specifically identifies in writing the nature of the unreasonably high costs. The FOIA Administrator shall determine whether a request would result in unreasonably high costs to the District. Any affirmative determination in this regard shall be set forth in writing and shall identify the specific nature of the unreasonably high costs. Such writing shall be maintained in the file containing the request.

- E. The District shall not charge the following persons/organizations for access to and/or copies of public records:
1. Board members;
 2. Community organizations such as the Boy Scouts, Girl Scouts, YMCA, etc.; and
 3. Other persons and/or organizations designated by the Board.
- F. Records of fees paid shall be maintained with each request. A record of fees incurred shall be kept for any person/organization making a request who is exempt from paying said fees pursuant to Paragraph E hereof.

Adopted: 11/19/98; Reviewed 11/15/07