

Harbor Springs Public Schools

Michigan Freedom of Information Act (FOIA) Procedures and Guidelines

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 as defined in the Harbor Springs policy 8310A – Public Records. The rights and obligation of the District and requesters under FOIA are subject to MCL 15.231, et seq. Exemptions are specified in MCL 15.243.

The Superintendent shall be the District Records Officer (DPO) as well as FOIA coordinator. The following procedures shall be followed in connection with requests to inspect and secure copies of school district records:

1. Requests to inspect or secure copies of records shall be submitted to the Superintendent on Form 8310 F1, copies of which are available on the district web site (www.harborps.org) or available in the office of the Superintendent.
2. The Superintendent 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, the requester may seek to compel disclosure or make a written appeal of 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 Superintendent 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 Superintendent 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. At the request of the requester the Superintendent 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.
5. If transmission is by an electronic record, the requester is to provide the disk at least 48 hours in advance. If the transmission is by e-mail, the requester must provide the proper address.
6. 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 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.

7. Records may be inspected only at the office of the Superintendent or as 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.
8. 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 as indicated in *FOIA Fee Itemization Form*, provided the requestor and the record of which a copy is requested are sufficiently identified to make compliance practicable.
9. 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.
10. Personnel records are to be considered public records by the district other than those considered to be confidential by law (see policy document AG 8320)

Records shall be made available at the Superintendents office during the hours of 8:30am to 4:30pm Monday through Friday, with the exception of holidays when District schools are closed.

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 reasons thereof.

HARBOR SPRINGS PUBLIC SCHOOLS

FOIA - FEE ITEMIZATION FORM

Pursuant to Section 4 of the Michigan Freedom of Information Act, MCL 15.234 (the "FOIA" or the "Act"), the following costs will be charged for responses to FOIA requests, pursuant to the FOIA Fee Schedule adopted and periodically revised by Harbor Springs Public Schools.

A fee for labor cost may be charged because the failure to do so will result in unreasonably high costs to Harbor Springs School District because of the nature of the request.

Labor costs shall not be more than the hourly wage of Harbor Springs School District lowest-paid employee capable of performing the labor in the particular instance, regardless of whether that person is available or actually performs the labor. Labor costs will be estimated and charged in 15-minute time increments. All partial time increments will be rounded down. No overtime will be charged unless the person making the request provides written approval. If the number of minutes is less than 15, there will be no charge.

1. LABOR COST TO LOCATE		
Hourly Wage Charged = \$12 OT Wages (as Stipulated by the Requestor) = \$18	It is estimated to take [] minutes to perform this task. Time is charged in _15 minute__ increments.	Subtotal Cost = \$_____
or		
Hourly Wage with Fringe Benefit Cost = \$_____. Total Hourly and Fringe Benefit Charge = \$_____.		

2. LABOR COST TO COPY		
Hourly Wage Charged = \$12 OT Wages (as Stipulated by the Requestor) = \$18	It is estimated to take [] minutes to perform this task. Time is charged in __15 minute__ increments.	Subtotal Cost = \$_____
or		
Hourly Wage with Fringe Benefit Cost = \$_____. Total Hourly and Fringe Benefit Charge = \$_____.		

3. EMPLOYEE LABOR COST TO SEPARATE EXEMPT FROM NON-EXEMPT MATERIAL		
Hourly Wage Charged = \$12 Total Hourly Charge = \$18	It is estimated to take [] minutes to perform this task. Time is charged in __15 minute__ increments.	Subtotal Cost = \$_____
or		
Hourly Wage with Fringe Benefit Cost = \$_____. Total Hourly and Fringe Benefit Charge = \$_____.		

4. CONTRACTED LABOR COST TO SEPARATE EXEMPT FROM NON-EXEMPT MATERIAL		
Name of contracted person or firm = _____		
Hourly Wage Charged = \$_____.	It is estimated to take [] minutes to perform this task.	Subtotal Cost = \$_____
or		

Hourly Wage with Fringe Benefit Cost = \$ _____.	Time is charged in ____ increments.	
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5. COPYING (DUPLICATION OR PRINTING) COST		
Letter (8 1/2 x 11-inch, single- or double-sided): 10 cents per sheet	Number of sheets = _____	Cost = \$ _____
Legal (8 1/2 x 14-inch, single- or double-sided): 10 cents per sheet	Number of sheets = _____	Cost = \$ _____
Other paper sizes (single- or double-sided): 10 cents per sheet	Number of sheets = _____	Cost = \$ _____
Actual and most reasonably economical cost of non-paper physical digital media (or being provided to the requestor in such format as stipulated) = \$ _____ <i>Circle applicable: Disc / Tape / Drive / Other Digital Medium Cost per Item:</i>	Number of items = _____	Cost = \$ _____
		Subtotal Cost = \$ _____

6. MAILING COST		
	Number of envelope(s), package(s), stamp(s), etc.	
Cost of Envelope or Package = \$1 Dollar	_____	Cost = \$ _____
Postage = 49 cents per stamp.	_____	Cost = \$ _____
Postage = \$ ___ actual cost ___ per pound.	_____	Cost = \$ _____
Postage = \$ ___ actual cost ___ per package.	_____	Cost = \$ _____
Postal Delivery Confirmation = \$ ___ actual cost ___.	_____	Cost = \$ _____
Expedited Shipping or Insurance, if requested = \$ ___ actual cost ___.	_____	Cost = \$ _____
		Subtotal Cost = \$ _____

Affidavit of Indigency Submitted? <u>Y</u> / <u>N</u> Qualified Non-Profit Organization per Section 4(2)(f)(2)(b) of the FOIA? <u>Y</u> / <u>N</u>	If Yes, subtract \$20.00	(\$ _____)
TOTAL ESTIMATED FEE = \$ _____		
If the estimated cost exceeds \$50.00, a good faith deposit of 50% is required before the request will be processed.	50% Deposit = \$ _____.	Date Paid = ____ / ____ / ____.
The request will be processed, but the balance of the cost must be paid before copies may be picked up, delivered, or mailed.	Balance Due = \$ _____.	Date Paid = ____ / ____ / ____.