

Summary of FOIA Procedure

Pursuant to Section 4 of the Michigan Freedom of Information Act, MCL 15.234, (the “FOIA” or the “Act”) the Flushing Community School District has established procedures and guidelines to facilitate access to information by the general public. This written summary outlines the basic procedure for submitting a FOIA request in accordance with Flushing Community Schools’ Board Policies 8310 – Public Records and 8350 – Confidentiality. This summary and the full FOIA Procedures and Guidelines can be found on the Flushing Community Schools’ website at www.flushingschools.org.

How to Submit Written Requests

Flushing Community Schools requires individuals or entities to submit FOIA requests in writing. FOIA requests may be mailed to the following address:

FOIA Coordinator
Flushing Community Schools
522 N. McKinley Road
Flushing, Michigan 48433

An individual or entity may also make a written request in person at Flushing Community Schools’ Administration Building, email a request to matt.shanafelt@flushingschools.org, or fax a request to 810-591-0656.

Please review the following checklist to ensure a timely and accurate response to a request:

- 1) Make sure the correspondence is addressed to the FOIA Coordinator and includes the proper address and/or fax number.
- 2) Clearly state that the request is being made for a public record(s) pursuant to the “Freedom of Information Act” or the “FOIA.”
- 3) Describe the public record(s) requested in sufficient detail so that it can be identified and located.
- 4) Describe the subject matter of the public record(s) requested and, if possible, the approximate date that the public record(s) was created.
- 5) If the requested public records are available on Flushing Community Schools’ website and the response includes the website address, then any request for paper format or other form, such as electronic form, may result in additional charges.

How to Understand Flushing Community Schools’ Written Responses

When the FOIA Coordinator receives a written request for a public record, the FOIA Coordinator shall, within five (5) business days after Flushing Community Schools receives the request, respond to the request in one of the following ways:

- 1) Grant the request.
- 2) Issue a written notice to the requestor denying the request.
- 3) Grant the request in part and issue a written notice to the requestor denying the request in part.

- 4) Issue a written notice extending, for not more than ten (10) business days, the period during which Flushing Community Schools shall respond to the request.

Deposit/Payment Requirements

If the estimated cost of responding to a request exceeds \$50.00, Flushing Community Schools may require a good faith deposit of 50% to be submitted before the request is processed. Once the good faith deposit is submitted, Flushing Community Schools will process the request.

Total fees due, including the balance remaining after a deposit, must be paid before the requested public documents may be picked up, mailed, or delivered.

Good faith deposits and fees charged for responding to FOIA requests may be mailed to the address above.

Fee Calculations

Please review the attached Fee Itemization Form, which provides a line-by-line summary and explanation of the fees that Flushing Community Schools may charge in response to a request, pursuant to Section 4 of the Act (MCL 15.234(1)).

Challenge and Appeal

If the requestor believes the fee estimated or charged for the request exceeds the amount permitted under Flushing Community Schools' procedures and guidelines or Section 4 of the Act, the requestor must:

Submit to the Superintendent a written appeal for a fee reduction that specifically states the word "appeal" and identifies why the requestor believes the required fee exceeds the amount permitted under Flushing Community Schools' procedures and guidelines or Section 4 of the Act. If the requestor disagrees with Flushing Community Schools' final determination, the requestor may file an appeal with the Board of Education. If still unsatisfied, the requestor may commence a civil action in Genesee County Circuit Court for a fee reduction. The civil action must be filed within 45 days of Flushing Community Schools' final determination to deny a request pursuant to Section 10(1)(b) of the Act.

Any written response denying a request for a public record, in whole or in part, is final. A requestor may or may seek judicial review of the denial, pursuant to Section 10 of the Act (MCL 15.240). A requestor may receive attorneys' fees and damages pursuant to the Act, if the Court determines that Flushing Community Schools has not complied with Section 5 (MCL 15.235) of the Act and orders the disclosure of all or a portion of a public record.