

## 7000-AR

## SCHOOL-COMMUNITY RELATIONS

The 7000 series of Board Policies requires or permits the Superintendent to promulgate and implement administrative regulations. The Superintendent, pursuant to this authority, promulgated and implemented these administrative regulations on February 15, 2023 and posted them on <https://www.wyandotte.org/district/board-of-education/board-bylaws-policies-procedures>. All School District personnel and Students are required to follow these administrative regulations.

## 7001-AR

## Michigan Freedom of Information Act

**Introduction** This Regulation is published by the School District to inform the public of its rights under the [Michigan Freedom of Information Act](#) ("FOIA" or "the Act"). The regulation and guidelines, below, are not intended to, and should not be read to limit the rights actually created by FOIA. Accordingly, to the extent this regulation or the guidelines are found to be inconsistent with FOIA, or inconsistent with a future amendment to FOIA, the Act governs. The School District retains the right to revise this regulation and the guidelines.

**Requesting Public Records** Under FOIA, the Administrative Assistant to the Superintendent is the School District's "FOIA Coordinator." Public records may be requested by providing the School District's FOIA Coordinator with a written request that identifies the public records with enough specificity to permit the School District to locate them. For requesters other than indigent persons, the request must also include the requester's complete name, address, and contact information or, if the requester is other than an individual person, such as a company or organization, the request must also include the complete name, address, and contact information of the requester's agent who is an individual person. The written request may be on paper or it may be electronic or digital.

A person may subscribe to public records that are created, issued or disseminated on a regular basis. A subscription is valid for up to six months and may be renewed.

The School District will not accept or respond to a verbal request for public records. However, where a School District employee receives a verbal request and is aware the public records are available on the District website, the School District employee may notify the requestor of the website address.

**Response to Request for Public Records** The District is required to respond, in writing, to a written request for public records. The District may grant the request, deny the request, or grant the request in part and deny the request in part.

**Timeline** The District has five (5) business days to respond to a written request for public records. Requests sent by email or other electronic transmission are not considered "received" until the first business day after the email or electronic transmission was sent. If the email or electronic transmission was delivered to the District's spam or junk mail folder, the request is not considered received until the District actually becomes aware of the request. The District may extend the time for responding by ten (10) business days if the nature of the request justifies an extension by so notifying the person who made the request, in writing, and within the original five business day response window.

### **Types of School District Responses**

**Granting a Request.** The District's FOIA Coordinator will grant a request for public records by so notifying the requestor in a timely manner and in writing. The District will also provide notice if some or all of the public records are available on its website and will include a specific website address, if practicable.

**Denying a Request.** The District's FOIA Coordinator may deny a request if the request is not specific enough to allow the District to locate the public records in question by so certifying that fact to the requestor in writing. The District's FOIA Coordinator may also deny a request if the requested public records are exempt from disclosure under the Act. If only part of a public record is exempt, the FOIA Coordinator will redact the exempt part and, otherwise, grant the request.

**Allowable Fees** [FOIA](#) allows the District to charge the following fees incurred for processing and responding to FOIA requests, as stated below.

### **Labor Costs.**

*Searching for, Locating, and Examining Public Records.* The District may charge labor costs directly associated with searching for, locating, and examining requested public records in conjunction with receiving and fulfilling a granted request. Except as provided by the Act, the District will not charge labor costs for searching for, locating, and examining public records that are on the School District's website at the time the request is made.

*Separating or Deleting Exempt Information.* The District may charge labor costs directly associated with separating or deleting information that is exempt from disclosure under the Act, unless the District has previously redacted the public record(s) and the redacted version is still in the District's possession. The District will not charge for separating documents that are available on its website.

*Reproducing Information.* The District may charge labor costs directly associated with duplicating or publishing public records. This includes the time spent making paper copies, making digital copies, and transferring public records to non-paper physical media or through the internet, if so requested.

*Limitations on Labor Costs.* Subject to the Itemization of Allowable Fees section of this Guideline, the District may charge no more than the hourly rate and actual fringe benefits of the lowest paid employee capable of performing the particular task for which the District may charge labor costs, even if the District assigns a more highly paid employee to perform the task. The charge for fringe benefits may not exceed 50% of the employee's hourly rate. The District may not charge overtime except at the request or stipulation of the requestor. If the District's FOIA administrator determines that no District employee is capable of separating or deleting exempt information with respect to a particular request, the District may hire contracted labor to perform the task. In such cases, the District will calculate the time spent by the contracted labor in the same manner it calculates the time of its own employees and the charge for the contracted labor will not exceed six times Michigan's minimum wage. In all cases, labor costs will be charged and estimated in increments of fifteen (15) minutes, with all partial time increments rounded down.

### **Reproduction Costs.**

*Non-Paper Physical Media.* The District may charge the actual and most reasonably economical cost of reproducing public records on non-paper physical media (e.g., computer discs, computer tapes, or other digital or similar media). The District is not required to reproduce public records on non-paper physical media if it does not have the technology necessary to do so.

*Paper Copies.* The District may charge the actual incremental cost of reproducing paper copies of public records using the most economical means available (e.g., double sided copies, if double sided copies are available and more economical than single sided copies). In no case will the District charge more than 10 cents per sheet. The District will not charge copying costs for copying documents on its website or the on-site inspection of public records unless the requestor requests paper copies.

**Mailing.** The District may charge the actual cost of mailing requested public records and the least expensive method of confirming delivery. The District may not charge for expedited shipping or insurance unless specifically requested by the requestor.

**Waiver, Reduction, or Discount of Allowable Fees.** The District may waive or reduce allowable fees if the District determines a waiver or reduction is in the public interest.

*Indigence.* The District will discount allowable fees by \$20.00 to a requestor who submits an affidavit stating that he or she is indigent and on public assistance or, if not receiving public assistance, stating facts showing inability to pay full allowable fees due to indigence. If the District determines a requestor who submits such an affidavit is not eligible for the discount, the District's written response will inform the requestor of the reason(s) for its determination. The District will not provide an indigence discount to an otherwise eligible requestor if: the requestor has already received discounted copies from the District twice during the calendar year; or, the requestor has been offered or received payment or other remuneration by or from another person.

*Protection and Advocacy.* The District will discount allowable fees and costs by \$20.00 if the requestor is a non-profit agency designated by the Governor under [Section 931 of the Michigan Mental Health Code, MCL 330.1931](#), and the following additional conditions are met: the request is made on behalf of the agency or its clients; the request is made for reasons wholly consistent with the agency's mission, as described in Section 931; and, the request is accompanied by documentation of its designation, if so requested by the District.

**Itemization of Allowable Fees.** The District will itemize allowable fees on a Detailed Itemization of Allowable FOIA Fees form.

**Good-Faith Deposit.** The District may require a good-faith deposit from a requestor before providing public records if the total allowable fees exceed \$50.00 and the District provides the requestor with an estimate of total allowable fees using the Itemization of Allowable Fees and Costs form. The good-faith deposit may not exceed 50% of the total allowable fees and costs. The District's request for a good-faith deposit will include a reasonable and best efforts estimate of the time frame within which the District will provide public records after receiving the good-faith deposit, along with notice that the good-faith deposit is due within 48 days of when the request was sent or else the request will be considered abandoned. The School District is not required to fulfill abandoned requests. Requests are not considered abandoned if the requester has filed an appeal of the good-faith deposit request within the 48-day timeframe. The District may charge an increased good-faith deposit of up to 100% of the estimated fee before it begins a full public record search for a person who has previously failed to pay allowable fees in full if: the final allowable fees were not more than 105% of the total estimated fees; the public records provided contained the information sought in the prior request and are still in the District's possession; the public records were provided within the School District's reasonable best efforts estimate for the prior request; ninety (90) days have passed since the District notified the requestor the public records were available for pickup or mailing; the requestor is not able to show proof of prior payment; and, the School District provides a completed Detailed Itemization of Allowable FOIA Fees form that is the basis of the increased good-faith deposit. However, the District may not insist on an increased good-faith deposit if: the requestor shows proof of prior payment; the District is paid in full for the prior request; or, three hundred and sixty-five (365) days have passed since the requestor made the request for which full payment was not remitted.

**Reduction of Labor Charges for Untimely Response.** The District will reduce otherwise permitted labor charges by 5% per day (to a maximum of 50%) for each day the District's response is untimely if: the late response was willful and intentional; or, the written request conveyed a request for information within the first 250 words or the request included the words, characters or abbreviations for "freedom of information," "information," "FOIA," or a recognizable misspelling of such, or appropriate legal code reference on the front of the envelope or the subject line of the request.

**Appeals** The requestor may appeal the denial of all or part of a request in two ways: submit an appeal to the District's Superintendent or file a civil action in the circuit court where the District is located. The requestor may also appeal an allowable fee calculation that violates the [Act](#) or this administrative regulation.

**Appeal to Superintendent.** An appeal to the Superintendent must include the word "appeal" and identify the reason(s) the Superintendent should reverse the denial or reduce the allowable fee calculation. The Superintendent will respond to the appeal, in writing, within ten (10) business days by reversing the denial or calculation, upholding the denial or calculation, or reversing the denial or calculation, in part, and upholding the denial or calculation, in part. In unusual circumstances, the Superintendent may issue not more than one notice extending his/her time for responding by not more than ten (10) additional business days. If the appeal is based on the District's calculation of fees and the Superintendent upholds the calculation, in whole or in part, the Superintendent must certify and explain the District's calculation.

**Civil Action.** The requestor may, in addition to appealing to the Superintendent, file a civil action in the circuit court where the District is located. The civil action may be based on the District's failure to timely provide public records or the District's calculation of allowable fees. If the requestor prevails in a case concerning the timely provision of public records, he or she is entitled to reasonable attorneys' fees, costs, and disbursements. If the requestor or the District prevails in part the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. Additionally, if the court determines the District has arbitrarily and capriciously violated the [Act](#) by refusing or delaying the request, the court will order the District to pay a fine of \$1,000.00, which will be deposited in the Department of Treasury's general fund, and, in addition to any actual or compensatory damages, punitive damages to the requestor in the amount of \$1,000.00.

If the requestor prevails in a case concerning the District's calculation of allowable fees by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award the requestor all or an appropriate portion of his or her attorneys' fees, costs, and disbursements. If the court determines the District has arbitrarily and capriciously violated the Act by charging an excessive fee, the court will order the District to pay a fine of \$500.00, which will be deposited in the Department of Treasury's general fund, and, in addition to any actual or compensatory damages, punitive damages to the requestor in the amount of \$500.00. Separately, if the court determines the District willfully and intentionally failed to comply with the [Act](#) or has otherwise acted in bad faith, the court will order the District to pay a civil fine of not less than \$2,500.00 and not more than \$7,500.00 per occurrence, which will be deposited in the Department of Treasury's general fund.

A civil action based on a denial of public records must be filed within one hundred and eighty (180) days after the District's final determination. A civil action based on the District's calculation of allowable fees must be filed within forty-five (45) days of receiving the completed Detailed Itemization of Allowable FOIA Fees form or within forty-five (45) days of the Superintendent's decision concerning an appeal. If the requestor files a civil action based on the District's calculation of allowable fees, the District is not required to continue processing the request until the court resolves the fee dispute.

## **7002-AR      Community Use of School District Facilities**

**Generally** The School District's buildings, facilities, and property were acquired to support its educational programs and activities. To the extent individual groups or organizations want to use those buildings, facilities, or property for a purpose that is consistent with the School District's mission, educational programs, and activities, the School District, in its discretion, may approve that use. The Superintendent may develop and implement additional administrative procedures permitting the use of District buildings, facilities, and property.

**Agreements** The individual, group, or organization requesting use of a School District building, facility, or property will complete and execute an Agreement for the Use of School District Buildings and Facilities, or its equivalent. That Agreement will address, at a minimum: the fee the School District will receive, which will be at least sufficient to cover all marginal costs associated with the use; the liability or other insurance the user will carry and the fact the School District will be named as an additional insured; a release of the School District (including School District board members, agents, employees, and volunteers) for any injuries or damages that occur during the use; and, an agreement to indemnify and hold harmless the School District against such injuries, damages, and actual attorneys' fees and costs arising or relating to

the use or any related litigation. The Superintendent may waive the requirement for such an agreement for School District-related users.

**Fees** The School District facilities currently in use for the K-12 instructional program are made available to responsible groups and organizations in the Superintendent's discretion. Groups and organizations requesting the use of District facilities are assessed fees according to the following fee table:

<b><u>Facility</u></b>		
<b><u>Auditorium</u></b>		
Roosevelt High School	\$254/hour + \$78 extra custodial	
Jo Brighton School	\$238/hour + \$78 extra custodial	PS Center Stage Players
		3 plays \$1350 per year
Wilson Middle School	\$238/hour + \$78 extra custodial	
<b><u>Cafeteria</u></b>		
Roosevelt High School	\$254/hour + \$78 extra custodial	
Jo Brighton School	\$254/hour + \$78 extra custodial	
Wilson Middle School	\$254/hour + \$78 extra custodial	
<b><u>Gymnasium</u></b>	Rental of gymnasium - 2 hour minimum	
Roosevelt High School	\$197 per hour + \$78 extra custodial	
Jo Brighton School	\$197 per hour + \$78 extra custodial	
Wilson Middle School	\$197 per hour + \$78 extra custodial	
Elementary Schools	\$197 per hour + \$78 extra custodial	
<b><u>Swimming Pools</u></b>		
Roosevelt High School	\$300 per hour + \$78 extra custodial	
Wilson Middle School	\$300 per hour + \$78 extra custodial	Wildcats
		\$2500 per season
<b><u>Football Field</u></b>		
Roosevelt High School	\$600 for day game and \$850 for night game	Wyandotte Indians
	+ \$78 extra custodial	\$2500 per season
<b><u>Classrooms</u></b>		
All Buildings	\$129/hour + \$78 extra custodial	

**Building or Facilities Permit Procedures** A group or organization that wishes to use a School District building or facility must obtain a permit from Director of Operations. To obtain a permit, the group or organization must:

1. Complete and submit a Facility Use Permit form, or its equivalent, to the Operations Department at least one (1) week prior to the activity. **Payment is due when the building request is made. A \$10.00 late fee will be charged for requests not submitted with the one (1) week time limit. Refunds will be given if cancellation is made five (5) days or more before the event.**
2. Fees will be charged for additional service from school personnel on weekdays, weekends, or holidays and/or after 10:00 p.m. Monday through Thursday and for any event held on Friday.
3. Space will be tentatively reserved pending approval of the Building Principal/Supervisor and the Operations Department.
4. Upon approval, the space will be reserved and a confirmation will be communicated to the applicant. The applicant must have the permit with them at the time of building use.
5. All permits are subject to cancellation for school activities.

#### **Regulations Pertaining to Rental of School District Facilities**

- Those in attendance must confine themselves to the area rented by the organization.
- The use or sale of intoxicating beverages and tobacco is not permitted on the premises. Violators will be subject to removal and possible prosecution.
- School District facilities are not available for private parties.
- The sale of food or any commodity requires prior approval from the School District. A request must be included on the reservation request form at the time the reservation form is submitted.
- All current fire and safety regulations must be strictly observed.
- An employee of the School District may be on site during events.
- Users of School District facilities will be fully responsible for damage to school property occasioned by the group's use of School District property. The renting organization will be required to replace damaged property at its sole cost and expense.

**Insurance** The Board of Education requires all users of School District facilities to carry comprehensive general liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Furthermore, the Board of Education, its individual board members, officers, and agents, and the School District, as well as its employees and volunteers, shall be named as additional insureds.

### **7003-AR                      Gifts, Bequests, and Donations**

The School District appreciates the generosity of donors who wish to recognize the School District with monetary donations or gifts of property. In order to assure that the School District does not incur a cost as a result of the gift that approaches or exceeds its value, all gifts, bequests, and donations will be submitted to the Superintendent of Schools for approval. As reflected in Board of Education Policy 7003, the Superintendent, or his/her designee, will review an offered gift to assure that the gift: is free of any restriction that is contrary to law or inconsistent with Board policy; is, in the opinion of the Superintendent, fitting and appropriate for District use; does not require excessive installation, alteration or maintenance costs, or otherwise require a large commitment of District resources; and, contains no commercial advertising.



## **7004-AR**

### **Distribution of Information / Materials**

The School District periodically receives requests from various organizations to distribute informational or promotional materials on District property. In order to minimize intrusions on the time of students and employees that result from such distribution, the following will apply:

**Review Process** Organizations must submit the following information for review and approval prior to distribution: a final pdf version of the flyer; and, a cover sheet with the following information: name and phone number of contact person; the method by which the organization wishes to be contacted following review; the target audience to receive the materials (i.e. students, parents, staff, or some combination thereof); and, the name of the school buildings where it is contemplated that the materials will be distributed. The Superintendent will review and approve materials for which a request for distribution has been received before distribution occurs.

**Content** In order to be accepted for distribution, materials may not: be obscene, indecent, or vulgar; advocate illegal activities, violence, or hate; contain libelous or defamatory information; discriminate or contain bias toward any individual's race, gender, sexual orientation, or religious or ethnic identity; be likely to cause substantial disruption of or material interference with discipline or the education of students in the school in which the material is posted or distributed; promote, favor, or oppose a candidate for elected office or a ballot measure; or, advocate religion or a particular faith or religious viewpoint.

## **7005-AR**

### **Public Complaints**

Citizens who have concerns with District staff, programs, or practices are encouraged to bring their concerns to the person in charge at the closest point of origin. In most cases this will be the building principal. Where the matter is unresolved at that level, the following formal complaint procedure may be utilized:

**Complaint Procedure** A complaint will: be in writing; be signed by the complaining parties; set forth the specific acts, conditions, or circumstances of concern; identify the relief being requested that is within the authority of the District to grant; and, be submitted to the person in charge at the closest point of origin (typically the building principal)

The building administrator will offer to meet with the complainant to discuss the complaint. Following the meeting, if there has not been a satisfactory resolution, the building administrator will, within five school days after receipt of the complaint, send the written complaint to the Superintendent, together with the outcome at the building level.

The Superintendent will designate a central office administrator to conduct or coordinate an investigation of the complaint and reach a decision within fifteen (15) school days after receipt of the complaint. The decision of the Superintendent's designee shall be communicated in writing to the parties involved. Should a complaint be submitted with less than fifteen (15) school days remaining within the school year, a reasonable extension of this timeline may be taken, as deemed necessary by the person conducting the investigation.

If the complaint has been investigated by the Superintendent's designee, and has not been resolved to the citizen's satisfaction, the citizen may request, within five (5) school days, that the complaint be referred to the Superintendent.

The parties involved in the complaint may request to meet with the Superintendent within five (5) school days of referring the complaint to the Superintendent. Any such meeting must occur fifteen (15) school days after the Superintendent receives the designee's decision.

The Superintendent will make a decision and notify the citizen, in writing, within: fifteen (15) school days after: receiving the complaint and the designee's decision, if the parties involved in the complaint have not requested a meeting with the Superintendent; or, within ten (10) school days of meeting with the parties involved in the complaint. The response of the Superintendent will: deny the allegations contained in the complaint and/or identify corrective measures deemed necessary to resolve the complaint.

## **7007-AR District Support Organizations**

Except for student-initiated organizations, all district support organizations must be recognized by the Internal Revenue Service as non-profit, 501(c)(3) charitable organizations prior to engaging in any activity. The Board expects all organizations to operate in a manner consistent with public expectations for the School District and reserves the right to prohibit organization activities at its sole discretion or at the sole discretion of the appropriate building principal. All district support organizations are expected to abide by the Board's policies and these administrative regulations

Except for student-initiated organizations, each district support organization will submit a copy of its bylaws and/or Articles of Incorporation and proof of 501(c)(3) status to the appropriate building principal for review and approval. Each organization will also notify the building principal of any upcoming district support events. Each organization is required to timely inform the building principal in the event the Internal Revenue Service revokes the organization's 501(c)(3) status.

## **7008-AR Advertising**

**Approval** In accordance with relevant laws, the Superintendent reserves the right to approve or deny any and all requests for advertising on a case-by-case basis, including whether the advertisement is consistent with the educational objectives of the School District. The Superintendent may request that samples of the proposed advertisement be made available for inspection.

**Content** Advertisements may not: be obscene, indecent, or vulgar; advocate illegal activities or violence; contain libelous or defamatory information; illegally discriminate on the basis of race, color, national origin, religion, sex, language, disability, or any other basis prohibited by law; be likely to cause substantial disruption of or material interference with discipline or the education of students in the school or facility in which the advertisement is posted or distributed; promote, favor, or oppose a candidate for elected office or a ballot measure; or advocate religion or a particular faith or religious viewpoint.

**Manner of Advertising** Advertising on School District premises or by School District students or personnel is prohibited unless, in the sole judgment of the Superintendent, the advertisement: benefits the School District, school, student population, or specific student activity; is consistent with the School District's Wellness policy; and/or is consistent with an exclusive agreement entered into between the School District and the advertiser.

## **7010-AR Media Utilization**

The School District will: post information on the School District website; consider School District-wide mailings on issues of importance; schedule public forums for the dissemination of information and to receive feedback from the community; and, work with local and other media outlets to share School District information with the community.