

Book	BOARD POLICIES
Section	8000 BP - Operations
Title	PUBLIC RECORDS
Code	8310 BP
Status	Active
Adopted	October 12, 2015
Last Revised	September 13, 2021

PUBLIC RECORDS

Reference:

MCL 15.231 et seq.

MCL 445.81 et seq.

Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

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

The public records of the Academy include any writing or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the Academy, its Board, officers, or ESP employees, subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA). The Academy shall not disclose the confidential address of a student or of an employee who has provided proper notice of a participation card issued by the department of the attorney general under the Address Confidentiality Program Act.

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

An individual may purchase copies of the Academy's public records upon payment of a fee. No original 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. Neither the Board nor Educational Service Provider shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see Policy 8350 and AG 8350).

The Board authorizes the Educational Service Provider to provide, upon written request, enhanced i.e. immediate access to any public record which the Academy has stored in an electronic database and is not confidential or exempt from disclosure by State or Federal statute. Such a record may be provided by means of a computer disk provided by the requestor, electronic mail, or a modem providing the requestor has paid the fee established for such transmission.

The Board has determined that personal and confidential information provided to and retained by the Academy on parents, students, staff and others will be considered exempt from disclosure pursuant to a Freedom of Information Act request, unless advised specifically by the Academy's legal counsel that the particular information must be released. Such personal and confidential information shall include home addresses, telephone numbers, e-mail addresses or website pages (e.g. My Space, Facebook), except as they are specifically related to the operation of the academy, or specifically authorized for release by the individual, or the parent/guardian if the individual is a minor.

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 the Academy, except student records and certain portions of personnel records.

The Educational Service Provider 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 Academy records.

The Educational Service Provider is responsible for transmission of data contained in the single record student data base established by the Michigan Department of Education. Such transmission shall be in accordance with procedures established by the St. Clair County RESA Intermediate School District and the Center for Educational Performance and Information (CEPI).

The Educational Service Provider shall establish Administrative Procedures to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

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