

Will Carleton Academy
Board of Directors
2001 W Hallett Rd.
Hillsdale, MI 49242
Regular Board Meeting
November 13, 2018
Room 16
5:15 PM

PROPOSED MINUTES

1. Call to Order
Board President Brock Lutz called the meeting to order at 5:17 PM.
2. Roll Call
Members Present: Brock Lutz, Chris Busch, Lisa Roberts, Rick Shaerer, and Luke VanCamp
Members Absent: Sarah Hartzler and Don Westblade
Others Present: Colleen Vogt, Brian Beaudrie, Sid Faucette, Carla Stewart, AJ Watkins, and Jackie Phillips
3. Public Comments (Limited to Agenda Items Only)
Carla Stewart expressed concern that the Long Range Planning committee has not met to consider the additional costs of the Choice Schools contract after the current year.
4. Approval of Agenda
It was moved by Schaerer and supported by VanCamp to approve the November 13, 2018 Regular Board Meeting Agenda. The motion passed unanimously with 5 Ayes and 0 Nays.
5. Consent Agenda
It was moved by Schaerer and supported by VanCamp to approve the Consent Agenda to approve the Regular Meeting Minutes of the October 9, 2018 meeting. The motion passed unanimously with 5 Ayes and 0 Nays.
6. Treasurer's Report
The monthly Financial Report for October 2018 was presented and reviewed by Brian Beaudrie.
7. Business Items
 - A. Monthly Financial Report for October 2018
It was moved by Roberts and supported by Busch to approve the monthly Financial Reports for October 2018. The motion passed unanimously with 5 Ayes and 0 Nays
 - B. Amended 2018-2019 School Operating Budget
Brian Beaudrie reviewed the amended 2018-19 general fund budget based on the fall 2018 student count. Most notable items of discussion were (a) projected enrollment versus actual enrollment and calculation of State Aid; (b) special education program costs related to the Cognitive Impaired program; (c) unbudgeted staffing costs in the staffing chart; and (d) ongoing fund balance.

Sid Faucette reported on the employment agreement with Charlotte Cole and the waiver of worker's compensation for the Board and Choice Schools and on the agreement in planning with Tammy Ryan, Hope for Developmental Disabilities.

C. Board Policy 8310 Public Records

Sid Faucette informed the Board of an upcoming audit by the Michigan Department of Education and the need for an updated Public Records Policy. A Freedom of Information Request was received from the Detroit Free Press for information on any water testing performed.

It was moved by Schaerer and supported by Roberts to approve Policy 8310 Public Records as revised by legal counsel. The motion passed unanimously with 5 Ayes and 0 Nays.

The Board discussed the FOIA request and directed the management company to respond that water testing has not been performed but will be done soon. The Board then directed that the school have testing done.

D. The Board President reported the following committee appointments of Board Members:

Standing Committees:

- Discipline Committee-Lisa Roberts and Brock Lutz(Chairman)
- Site Committee-Rick Schaerer and Luke VanCamp(Chairman)
- Long Range Planning-Rick Schaerer and Luke VanCamp(Chairman)
- School Improvement Committee-Luke VanCamp and Lisa Roberts(Chairman)
- Policy Committee-Sarah Hartzler and Chris Busch(Chairman)
- Curriculum Committee-Chris Busch and Sarah Hartzler(Chairman)

Ad Hoc Committee:

- Strategic Planning Committee-Don Westblade and Brock Lutz(Chairman)

Sid Faucette handed out alternative certification options for teachers. Brock Lutz assigned review of these options to the School Improvement Committee.

E. Building Projects: Science Laboratory, Parking Lot Paving and Gymnasium

The Science Laboratory project was assigned to the Site and Curriculum committees.

Brock Lutz assigned the Parking Lot Paving project to the Site Committee.

Brock Lutz assigned the Gymnasium project to the Site and School Improvement committees.

8. Business Manager Reports

A. Director's Report

Director Vogt presented her monthly report and responded to questions of the Board.

B. Management Report

Sid Faucette reported that the 401K from Principal is just about ready for disbursement. He also recommended the Board give all employees a \$400 Christmas bonus. Brian Beaudrie expressed his disappointment and frustration at his inability to open the Athletic Banking account at County National bank due to their poor customer service. He encouraged the Board to switch to a more suitable option.

9. Extended Public Comment

Carla Stewart commented on the terrific experience the staff had at Choice University. AJ Watkins, Parent Forum Board Liaison informed the Board of the upcoming Light-Up Parade where every participant will receive a WCA beanie. He also quoted a past board member who said to "Be the best WCA at whatever size school we are."

10. Board Comments

Luke VanCamp expressed his pleasure at the hiring of the 7th/8th grade basketball coach.

It was moved by Busch and supported by VanCamp to accept the management's recommendation of a \$400 Christmas Bonus for all employees. The motion passed unanimously with 5 Ayes and 0 Nays.

11. Reconfirmation of Next Board Meeting Date:

Members agreed that the next regular meeting will be on December 11, 2018, 5:15 PM, Academy Workroom.

12. Adjournment

It was moved by Roberts and supported by VanCamp that the meeting be adjourned. The motion passed with 5 Ayes and 0 Nays. The meeting adjourned at 6:50 PM.

Proposed minutes respectfully submitted,



Recording Secretary

Date: November 14, 2018

Approved by the Board of Directors at its _____ meeting.

Board Secretary

Date: _____

GENERAL FUND
2018/2019 AMENDED BUDGET

General Appropriations Resolution

RESOLUTION FOR ADOPTION BY THE
WILL CARLETON ACADEMY
BOARD OF DIRECTORS

RESOLVED, that this resolution shall be the general appropriations of Will Carleton Academy for the fiscal year 2018/2019; A resolution to make appropriations; to provide for the expenditure of the appropriations; and to provide for the disposition of all income received by Will Carleton Academy.

BE IT FURTHER RESOLVED, that the total revenues and unappropriated fund balance estimated to be available for appropriations in the general fund of Will Carleton Academy for fiscal year 2018/2019 is as follows:

REVENUE

Local	28,155
State	2,057,751
Federal	85,799
Other Financing Sources	0
Total Revenue	2,171,705

Fund Balance, July 1	789,561
Less Appropriated Fund Balance	0
Fund Balance Available to Appropriate	789,561
Total Available to Appropriate	2,961,266

BE IT FURTHER RESOLVED, that \$ 2,961,266 of the total available to appropriate in the general fund is hereby appropriated in the amounts and for the purposes set forth below:

EXPENDITURES

Instruction	
Basic Programs	1,038,987
Added Needs	253,147
Support Services	
Pupil	2,616
Instructional Staff	30,050
General Administration	163,750
School Administration	240,100
Business	8,000
Operations and Maintenance	244,503
Transportation	3,000
Central	77,000
Athletics	52,000
Fund Modifications	214,500
TOTAL EXPENDITURES	2,327,653

**GENERAL FUND
2018/2019 AMENDED BUDGET**

BE IT FURTHER RESOLVED, that no Board of Directors member or employee of the school district shall expend any funds or obligate the expenditure of any funds except pursuant to appropriations made by the Board of Directors and in keeping with budgetary policy statement hitherto adopted by the Board. Changes in the amount appropriated by the Board shall require approval by the Board.

BE IT FURTHER RESOLVED, that the Chief Administrative Officer is hereby charged with general supervision of the execution of the budget adopted by the Board and shall hold the department heads responsible for performance of their responsibilities within the amounts appropriated by the Board of Directors and in keeping with the budgetary policy statement hitherto adopted by the Board.

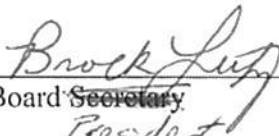
Note: The chief administrative officer is responsible for the control of expenditures under the budget. The appointed official shall be designated by the Board to act as the Chief Administrative Officer to administer the appropriation.

This appropriation is to take effect on November 13, 2018.

Secretary's Certification:

I certify that the foregoing resolution was duly adopted by the Will Carleton Academy Board of Directors at a properly noticed open meeting held on the 13th day of November 2018, at which a quorum was present.

By:



Board Secretary
President

Will Carleton Academy
Budget Assumptions (Summary)
2018/2019

Fund: General Fund	For Comparative Purposes			\$ Change
	Audited 2017/18	Current 2018/19	Amended 2018/19	
Revenues				
Total Local Sources	\$ 24,156	\$ 13,035	\$ 28,155	\$ 15,120
Total State Sources	2,036,403	2,022,932	2,057,751	34,819
Total Federal Sources	66,259	77,866	85,799	7,933
Total Incoming Transfers and Other Transactions	-	-	-	-
Total Revenues	\$ 2,126,818	\$ 2,113,833	\$ 2,171,705	\$ 57,872
Expenditures				
Total Basic Programs	\$ 1,049,852	\$ 974,043	\$ 1,038,987	\$ 64,944
Total Added Needs	104,054	116,171	253,147	136,976
Total Support Services - Pupil	2,616	3,000	2,616	(384)
Total Support Services - Instructional Staff	13,948	18,139	30,050	11,911
Total Support Services - General Administration	164,106	154,939	163,750	8,811
Total Support Services - School Administration	307,205	320,468	240,100	(80,368)
Total Support Services - Business	12,739	13,000	8,000	(5,000)
Total Operation and Maintenance/Security	281,054	204,023	244,503	40,480
Total Support Services - Pupil Transportation Services	-	-	3,000	3,000
Total Support Services - Central	67,076	69,000	77,000	8,000
Total Athletic Activities	28,224	29,301	52,000	22,699
Total Fund Modifications	211,342	211,500	214,500	3,000
Total Expenditures	\$ 2,242,216	\$ 2,113,584	\$ 2,327,653	\$ 214,069
Change in Fund Equity	\$ (115,398)	\$ 249	\$ (155,948)	\$ (156,197)
Beginning Fund Equity	\$ 904,959	\$ 700,099	\$ 789,561	
Ending Fund Equity	\$ 789,561	\$ 700,348	\$ 633,613	
<i>Fund Balance as % of Total Revenues</i>	37%	33%	29%	

Will Carleton Academy
Budget Assumptions (Detail)
2018/2019

Fund: General Fund	For Comparative Purposes			\$ Change
	Audited 2017/18	Current 2018/19	Amended 2018/19	
Local Sources				
Interest	\$ 41	\$ 35	\$ 40	\$ 5
Competitive School Safety Grant Program	-	-	8,115	8,115
Miscellaneous Other	24,115	13,000	20,000	7,000
Total Local Sources	\$ 24,156	\$ 13,035	\$ 28,155	\$ 15,120
State Sources				
Foundation Allowance \$7,871 - 251 (Fall) & 261.68 (Spring)	\$ 1,997,414	\$ 1,985,357	\$ 1,984,043	\$ (1,314)
31A, At-Risk	26,777	26,790	48,148	21,358
High School Pupil Supports	1,277	-	-	-
Special Ed	4,285	4,285	4,285	-
Headlee Obligation for Data Collect	6,650	6,500	6,275	(225)
Early Literacy Grant - Hillsdale ISD	-	-	15,000	15,000
Total State Sources	\$ 2,036,403	\$ 2,022,932	\$ 2,057,751	\$ 34,819
Federal Sources				
Title I Grant	\$ 20,807	\$ 21,407	\$ 29,677	\$ 8,270
Title IIA Grant	4,574	5,578	8,304	2,726
Title IV Grant	-	10,000	10,000	-
REAP Grant	37,881	37,881	34,818	(3,063)
Special Milk Program	2,997	3,000	3,000	-
Total Federal Sources	\$ 66,259	\$ 77,866	\$ 85,799	\$ 7,933
Incoming Transfers and Other Transactions				
	\$ -	\$ -	\$ -	\$ -
Total Incoming Transfers and Other Transactions	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ 2,126,818	\$ 2,113,833	\$ 2,171,705	\$ 57,872

Will Carleton Academy
Budget Assumptions (Detail)
2018/2019

Fund: General Fund	For Comparative Purposes		Amended 2018/19	\$ Change
	Audited 2017/18	Current 2018/19		
Instruction				
Basic Programs				
Elementary/Middle School				
Teacher Salaries (includes P.E., Art and Music)	\$ 457,281	\$ 425,000	\$ 432,500	\$ 7,500
Teacher Assistants Salaries	97,259	60,000	56,500	(3,500)
Substitute Salaries	39,590	20,000	20,000	-
Benefits (related to teachers, assistants and substitutes)	129,128	134,258	175,000	40,742
Teaching Supplies	58,889	40,000	40,000	-
Textbooks	1,190	1,500	-	(1,500)
Miscellaneous Other	13,961	10,000	10,000	-
Total Elementary	\$ 797,298	\$ 690,758	\$ 734,000	\$ 43,242
High School				
Teacher Salaries	\$ 177,907	\$ 190,000	\$ 190,000	\$ -
Teacher Benefits	35,294	57,285	70,000	12,715
Tuition (Dual Enrollment Fees)	17,371	17,500	17,500	-
HS Teaching Supplies	5,595	6,000	7,500	1,500
HS Textbooks	4,430	1,000	3,000	2,000
Miscellaneous Other	11,957	11,500	11,500	-
Total High School	\$ 252,554	\$ 283,285	\$ 299,500	\$ 16,215
Summer School				
Teacher Salaries	\$ -	\$ -	\$ 4,800	\$ 4,800
Teacher Benefits	-	-	687	687
Total Summer School	\$ -	\$ -	\$ 5,487	\$ 5,487
Total Basic Programs	\$ 1,049,852	\$ 974,043	\$ 1,038,987	\$ 64,944

Will Carleton Academy
Budget Assumptions (Detail)
2018/2019

	For Comparative Purposes			Amended 2018/19	\$ Change
	Audited 2017/18	Current 2018/19	2018/19		
Fund: General Fund					
Added Needs					
Teacher Salary - Special Ed	\$ 10,000	\$ 10,000	\$ 15,000	\$ 5,000	
Teacher Benefits - Special Ed	4,015	4,515	6,000	1,485	
Assistant Salaries - Special Ed	-	-	18,500	18,500	
Assistant Benefits - Special Ed	-	-	12,500	12,500	
CI Classroom	-	-	70,000	70,000	
Assistant Salaries - 31a	21,052	19,500	38,648	19,148	
Assistant Benefits - 31a	5,725	7,290	9,500	2,210	
Teacher Salary - REAP	23,858	23,483	18,000	(5,483)	
Assistant Salaries - REAP	6,750	7,000	7,000	-	
Teacher Benefits - REAP	7,273	7,398	9,818	2,420	
Teacher Salary - Title I	19,641	19,641	27,000	7,359	
Teacher Benefits - Title I	5,740	6,744	10,881	4,137	
Title I Supplies	-	600	300	(300)	
Title IV Supplies	-	10,000	10,000	-	
Total Added Needs	\$ 104,054	\$ 116,171	\$ 253,147	\$ 136,976	
Total Instruction	\$ 1,153,906	\$ 1,090,214	\$ 1,292,134	\$ 201,920	
Support Services - Pupil					
Attendance Office - Hillsdale ISD	\$ 2,616	\$ 3,000	\$ 2,616	\$ (384)	
Total Support Services - Pupil	\$ 2,616	\$ 3,000	\$ 2,616	\$ (384)	
Support Services - Instructional Staff					
Prof Development	\$ 2,878	\$ 5,000	\$ 15,000	\$ 10,000	
Library Salaries	7,895	9,000	9,250	250	
Library Benefits	975	1,139	1,300	161	
Library Supplies	2,200	3,000	2,000	(1,000)	
Special Ed Supervision	-	-	2,500	2,500	
Total Support Services - Instructional Staff	\$ 13,948	\$ 18,139	\$ 30,050	\$ 11,911	

Will Carleton Academy
Budget Assumptions (Detail)
2018/2019

Fund: General Fund	For Comparative Purposes			\$ Change
	Audited 2017/18	Current 2018/19	Amended 2018/19	
Support Services - General Administration				
Legal Services	\$ 428	\$ 1,000	\$ 2,000	\$ 1,000
Audit Services	8,850	8,850	8,850	-
Policy Manual Updates	-	-	1,900	1,900
Management Services Fee	91,700	81,900	87,850	5,950
Oversight Services Fee - Hillsdale ISD	60,051	59,689	59,650	(39)
Dues & Fees	3,077	3,500	3,500	-
Total Support Services - General Administration	\$ 164,106	\$ 154,939	\$ 163,750	\$ 8,811
Support Services - School Administration				
Principal Salaries	\$ 155,858	\$ 155,000	\$ 90,000	\$ (65,000)
Secretary Salaries	55,620	56,500	60,000	3,500
Principal/Secretary Benefits	58,453	64,968	53,000	(11,968)
Postage	2,189	3,000	2,000	(1,000)
Equipment Lease	20,090	20,000	20,000	-
Office Supplies	10,019	12,500	10,000	(2,500)
Dues and Fees	-	-	100	100
Miscellaneous Other	4,976	8,500	5,000	(3,500)
Total Support Services - School Administration	\$ 307,205	\$ 320,468	\$ 240,100	\$ (80,368)
Support Services - Business				
Insurance	\$ 12,283	\$ 12,500	\$ -	\$ (12,500)
Bank Fees	456	500	500	-
Dues and Fees	-	-	7,500	7,500
Total Support Services - Business	\$ 12,739	\$ 13,000	\$ 8,000	\$ (5,000)

Will Carleton Academy
Budget Assumptions (Detail)
2018/2019

Fund: General Fund	For Comparative Purposes			\$ Change
	Audited 2017/18	Current 2018/19	Amended 2018/19	
Operation and Maintenance of Plant				
Janitor Salaries	\$ 86,642	\$ 65,000	\$ 84,000	\$ 19,000
Janitor Benefits	7,737	6,223	16,500	10,277
Telephone and Internet	4,723	5,200	6,500	1,300
Water and Sewer	2,901	3,500	3,000	(500)
Waste and Trash Disposal	5,080	5,100	7,000	1,900
Property and Liability Insurance	17,862	21,500	18,000	(3,500)
Building Maintenance	22,691	25,000	27,000	2,000
Lawn Care/Snow Removal	6,050	7,500	6,000	(1,500)
Gas	16,514	15,000	16,500	1,500
Electricity	37,225	35,000	35,000	-
Janitor Supplies	19,609	15,000	20,000	5,000
Capital Outlay	54,020	-	5,003	5,003
Total Operation and Maintenance of Plant	\$ 281,054	\$ 204,023	\$ 244,503	\$ 40,480
Support Services - Pupil Transportation Services				
Pupil Transportation by Contract Carrier - Dial a Ride	\$ -	\$ -	\$ 3,000	\$ 3,000
Total Support Services - Pupil Transportation Services	\$ -	\$ -	\$ 3,000	\$ 3,000
Support Services - Central				
Marketing	\$ 21,869	\$ 25,000	\$ 25,000	\$ -
Prof Development	-	-	5,000	5,000
Personnel Recruitment	-	-	2,500	2,500
Fingerprinting	-	-	500	500
Technology Services	45,207	44,000	44,000	-
Total Support Services - Central	\$ 67,076	\$ 69,000	\$ 77,000	\$ 8,000

Will Carleton Academy
Budget Assumptions (Detail)
2018/2019

Fund: General Fund	For Comparative Purposes		Amended 2018/19	\$ Change
	Audited 2017/18	Current 2018/19		
Athletic Activities				
Athletic Director Salary	\$ -	\$ -	\$ 12,000	\$ 12,000
Coaches Salaries	16,800	17,000	20,000	3,000
Benefits - Athletic Director / Coaches	1,859	2,301	3,500	1,199
Athletic Referees	-	-	5,000	5,000
Athletic Supplies	8,255	7,500	10,000	2,500
Athletic Dues and Fees	1,310	2,500	1,500	(1,000)
Total Athletic Activities	\$ 28,224	\$ 29,301	\$ 52,000	\$ 22,699
Total Supporting Services	\$ 876,968	\$ 811,870	\$ 821,019	\$ 9,149
Fund Modifications				
Equipment Loan - Principal	\$ 4,376	\$ 4,500	\$ -	\$ (4,500)
Transfer to Debt Service	206,966	207,000	214,500	7,500
Total Fund Modifications	\$ 211,342	\$ 211,500	\$ 214,500	\$ 3,000
Total Expenditures	\$ 2,242,216	\$ 2,113,584	\$ 2,327,653	\$ 214,069
Change in Fund Equity	\$ (115,398)	\$ 249	\$ (155,948)	\$ (156,197)
Beginning Fund Equity	\$ 904,959	\$ 700,099	\$ 789,561	
Ending Fund Equity	\$ 789,561	\$ 700,348	\$ 633,613	
<i>Fund Balance as % of Total Revenue</i>	37%	33%	29%	

Will Carleton Academy
Staffing Summary
2018/2019

Employee	Staff FTE	Total Salary	Total Benefits	Total Compensation	Employer FICA 7.65%	Unemployment Compensation	Worker's Compensation	Group Health Insurance
111 ES Teacher	12.25	428,781	144,640	573,421	32,801	12,000	4,289	95,550
111 ES Assistant	2.50	53,134	19,096	72,230	4,064	4,000	532	10,500
113 HS Teacher	5.00	188,291	70,517	258,808	14,405	5,000	1,884	49,228
125 31A Aides - ES	2.00	36,972	10,964	47,936	2,828	1,000	370	6,766
122 Special Ed Teacher	0.25	15,000	3,603	18,603	1,148	-	150	2,305
122 Special Ed Aide	1.00	18,486	12,316	30,802	1,414	1,000	185	9,717
122 CI Classroom - CONTRACTED	1.67	70,000	-	70,000	-	-	-	-
125 Title I / Reap Teacher	0.75	45,000	11,558	56,558	3,443	750	450	6,915
125 REAP Aide	0.50	7,000	1,036	8,036	536	500	-	-
222 Library	0.50	9,243	1,299	10,542	707	500	92	-
241 Principal	1.00	90,000	23,737	113,737	6,885	1,000	900	14,952
241 Secretary	2.00	56,283	27,689	83,972	4,306	2,000	563	20,820
261 Custodian	2.00	83,718	16,241	99,959	6,404	2,000	837	7,000
293 Athletic - AD	1.00	12,000	2,038	14,038	918	1,000	120	3,500
	32.42	1,113,908.00	344,734.00	1,458,642.00	79,859.00	30,750.00	10,372.00	227,253.00

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).

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 ESP 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 chooses not to provide for enhanced access to any of its public records.

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 (eg. My Space, Facebook), except as they are specifically related to the operation of the schools, 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 ESP 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 ESP 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 Intermediate School District and the Center for Educational Performance and Information (CEPI).

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

Approved by the Board, November 13, 2018

PUBLIC RECORDS

It is the policy of the Board that all persons are entitled to full and complete information regarding governmental decision-making, consistent with the Michigan Freedom of Information Act (the "FOIA" or the "Act").

For purpose of these procedures and guidelines, a "public record" means: a writing prepared, owned, used, in the possession of, or retained by School in the performance of an official function, from the time it is created. Public record does not include computer software.

Procedures & Guidelines:

GENERAL INFORMATION

- A. All officers, employees, and agents of the School shall protect public records from unauthorized alteration, mutilation, or destruction.
- B. The Area Superintendent/Board Liaison/CAO is hereby designated the "FOIA Coordinator" with the authority and responsibilities stated in the Act and these procedures and guidelines.
- C. The FOIA Coordinator shall be responsible to accept and process all written requests for public records under the Act and shall be responsible for approving or denying under Section 5 of the Act (MCL 15.235).
- D. These procedures and guidelines regarding time frames, appeals, and fees do not apply to public records prepared for, or disclosed pursuant to another act or statute (i.e., requests for medical records made pursuant to the Public Health Code, or requests made pursuant to the Family Educational Rights and Privacy Act or the Bullard-Plawecki Employee Right to Know Act, etc.).

WRITTEN REQUESTS

- A. All individuals desiring to inspect or receive a copy of a public record shall make a written request to the FOIA Coordinator that describes the public record sufficiently to enable the FOIA Coordinator, or his/her designee, to identify and locate the public record.
- B. The FOIA Coordinator, or any other designee, is not required to respond to oral requests for public records but may do so for routine requests that can be granted immediately.
- C. If a written request is received directly by an School employee other than the FOIA Coordinator, the original shall be promptly forwarded to the FOIA Coordinator. The date the School employee receives the request shall be considered the date the request is validly received by the School, for the purpose of determining when a response is due.
- D. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the FOIA Coordinator until one business day after the electronic submission is made. If a request is delivered to a spam or junk mail folder, the request is not received by the FOIA Coordinator until one business day after it is discovered.

- E. Upon receiving a written request for a public record pursuant to these procedures and guidelines, a person or entity has the right to inspect, copy, or receive copies of the requested public record(s), unless the requested public record is exempt from disclosure pursuant to Section 13 of the Act (MCL 15.243), as amended. If the exempt status of any request is questioned, legal counsel should be consulted. New public records, compilations, summaries, and/or reports of information shall not be created in response to a FOIA request.
- F. Upon request for public inspection, the FOIA Coordinator, or any other designee, shall furnish a requestor a reasonable opportunity for inspection and examination of the requested public records, subject to applicable exemptions, and shall furnish reasonable facilities for making memoranda or abstracts from its public records during regular business hours.
- G. A requestor may stipulate that the public records be provided on non-paper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. Notwithstanding the foregoing, such stipulation must be within the technological capabilities of the School.
- H. A person or entity may subscribe to future issuances of public records that are created, issued, or disseminated on a regular basis. A subscription shall be valid for up to six months, at the request of the subscriber, and shall be renewable.
- I. If a requested public record may be obtained on the School's website or webpage, the FOIA Coordinator shall notify the requestor in writing of such availability and provide the direct internet address or link to obtain such public record. If, after receiving such written notification from the FOIA Coordinator, the requestor notifies the School that he or she continues to want the School to provide a copy of the available public record, in any format, the School shall process such request and may impose additional labor costs as specified within Article IV below.

REQUEST PROCESSING

- A. When the School receives a written request for a public record, the FOIA Coordinator, or any other designee, shall, in not more than five (5) business days after the School receives the request, respond to the request by one of the following:
 - 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 the School shall respond to the request.
- B. Any failure to respond to a written request as provided for above constitutes the School's determination to deny the request.

- C. Any written response denying a request for a public record, in whole or in part, is a final determination to deny the request or portion of that request. A denial response should contain the following:
1. An explanation of the basis under the Act or other statute for the determination that a public record(s), or portion(s) thereof, is exempt from disclosure, if that is the reason for denying all or part of a request.
 2. A statement that the public record(s) do not exist under the name/description given by the requestor or by another name reasonably known to the School.
 3. A description of a public record(s) or information on a public record that is separated or deleted if such separation or deletion is made.
 4. A full explanation of the requestor's right to either file an appeal with the Board or seek judicial review of the denial pursuant to Section 10 of the Act (MCL 15.240).
 5. Notice that a requestor may receive attorneys' fees and damages pursuant to the Act if the Court determines that the School has not complied with Section 5 (MCL 15.235) of the Act and orders disclosure of all or a portion of a public record.

DEPOSIT & FEES

- A. Fees for responding to any request shall include duplication (copying) costs and mailing costs. Duplication (copying) costs shall be set from time to time by resolution of the Board in an amount that does not exceed 10 cents per page (8% x 11 and 8% x 14). The School shall use the most economical method of duplication (i.e., double-siding, etc.) and the least expensive form of postal delivery, unless a more expensive method is specifically requested by the FOIA requestor.
- B. The cost of hourly labor may also be charged for the cost to search, examine, review, delete and separate exempt from non-exempt information if the failure to do so will result in unreasonably high costs to the School because of the nature of the request in a particular instance. If such is the case, the School shall specifically identify the nature of these unreasonably high costs. For purposes of these procedures and guidelines, "unreasonably high costs" shall generally mean calculated labor costs that are estimated to exceed \$50.00, inclusive of salary or wage and fringe benefits. This fee limitation shall not apply to the costs incurred in copying or publishing a public record for inspection or for providing or making a copy.

- C. Labor costs shall include the cost of the search, examination, review, separation, and/or deletion of exempt information from non-exempt information in order to fulfill a request.
- D. Labor costs will be calculated using the wage of the lowest paid School employee capable of searching for, locating, and examining the public record(s), regardless of whether that person is available or actually performs the labor. Labor costs shall be charged in increments of at least 15 minutes or more with all partial time increments rounded down. The School may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits. If it does so, it will clearly note the percentage multiplier used to account for benefits in the detailed itemization form. Subject to the 50% limitation, the School shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits. Notwithstanding the foregoing, 100% of fringe benefit costs may be added to the applicable labor charge if a requestor is notified in writing that public records are available on the School's website or webpage and the requestor continues to request that the School provide a copy, in any format, of the available public record.
- E. Overtime wages shall not be included in the calculation of labor costs unless the requestor specifically approves the use of overtime in writing, and overtime wages are clearly noted in the detailed itemization form.
- F. If the School does not employ a person in-house who is capable of separating exempt from non-exempt information in a particular instance, as determined by the FOIA Coordinator, it may utilize an outside contractor. In those instances, the School shall clearly note the name of the contractor or firm on the detailed itemization form. The cost of the contractor's labor, including necessary review directly associated with separating and deleting exempt information from non-exempt information, shall not exceed an amount equal to 6 times the state minimum hourly wage rate.
- G. The School will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.
- H. The School may require a good faith deposit (not to exceed 50% of the total labor and duplication costs) from the requestor, if the total estimated fee exceeds fifty dollars (\$50.00). A request for a good faith deposit shall include a detailed itemization of the fee the School estimates or charges pursuant to the Act. Additionally, a request for a good faith deposit shall include a best effort estimate regarding the time frame it will take to comply with the Act in providing the public records to the requestor. The School may require a one-hundred percent (100%) deposit from a requestor who has not previously paid a fulfilled FOIA request, provided the requirements in Section 5 of the Act are met.
- I. All fees and deposits calculated under these procedures and guidelines shall be listed within a detailed itemization form that shall be provided to the requestor. A copy of such form is attached hereto and incorporated by reference.
- J. Pursuant to Section 4(2) of the Act, the School shall search for and furnish a copy of a public record without charge for the first \$20.00 of the fee for each request made by either of the following:
1. An individual who is entitled to information under the Act and who submits an affidavit stating that the individual is indigent and receiving

specific public assistance or, if not receiving public assistance, stating facts showing an inability to pay the cost because of indigence. If an individual is ineligible for a discount, then the School will inform the individual of the specific reason for the ineligibility in its written response. The right to financial assistance for indigent individuals shall not apply where:

- a. an individual has received discounted copies of public records from School twice during the calendar year; or
 - b. an individual requests information in conjunction with outside parties who are offering or providing payment, or other remuneration to the individual to make the request.
2. A non-profit organization formally designated by the state to carry out activities under Subtitle C of The Developmental Disabilities Assistance And Bill Of Rights Act of 2000, Public Law 106-402, and The Protection And Advocacy For Individuals With Mental Illness Act, Public Law 99-319, or their successors provided the following requirements are satisfied:
- a. The request is made directly on behalf of the organization or its clients;
 - b. the request is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, MCL 330.1931; and
 - c. the request is accompanied by documentation of its designation by the State, if requested by School.
- K. The School may waive any charges if the FOIA Coordinator determines the cost is de minimis. For purposes of these procedures and guidelines, "de minimis" shall mean a calculated fee that is estimated to be less than \$10.00, inclusive of labor costs, duplication and mailing.

FEE DISPUTE APPEAL

- A. If the requestor believes the fee estimated or charged for the request exceeds the amount permitted under these procedures and guidelines or Section 4 of the Act, the requester is required to submit to the Board a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under these procedures and guidelines or Section 4 of the Act.
- B. Within 10 business days after receiving a written appeal, the Board shall do one of the following:
 1. Waive the fee.
 2. Reduce the fee and issue a written determination to the requestor indicating the specific basis under Section 4 of the Act that supports the remaining fee. The determination shall include a certification from the Board that the statements in the determination are accurate and that the reduced fee complies with these procedures and guidelines and Section 4 of the Act.
 3. Uphold the fee and issue a written determination to the requestor indicating the specific basis under Section 4 of the Act that supports the required fee. The determination shall include a certification from the Board that the statements in the determination are accurate and that the

fee complies with these procedures and guidelines and Section 4 of the Act.

4. Issue a notice extending, for not more than 10 business days, the period during which the Board shall respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The Board shall not issue more than one notice of extension for a particular written appeal.
- C. If a requestor disagrees with the School's determination, the requestor may comment an action in Circuit Court in the County in which School is located, within 45 days of the public body's determination, to seek a fee reduction.

RIGHT TO APPEAL A DENIAL OF A PUBLIC RECORD REQUEST

- A. If a requester desires to appeal a denial of a request for a public record, in whole or in part, the requestor may submit a written appeal to the Board or may seek judicial review of the denial, pursuant to Section 10 of the Act (MCL 15.240). A written appeal to the Board shall specifically state the word "appeal" and identify the reason(s) for reversal of the denial.
- B. Within 10 business days after receiving a written appeal, the Board shall do one of the following:
1. Reverse the disclosure denial.
 2. Issue a written notice to the appellant upholding the denial.
 3. Reverse the denial in part and issue a written notice to the appellant upholding the denial in part.
 4. Under unusual circumstances, issue a notice extending, for not more than 10 business days, the period during which the Board shall respond to the written appeal. The Board shall not issue more than 1 notice of extension for a particular written appeal.
- C. The Board is not considered to have received a written appeal until its next regularly scheduled meeting after the appeal is submitted.
- D. Any failure to respond to an appeal shall be considered a decision to uphold the denial. If an appeal is denied in whole or in part by the Board, the appellant may seek judicial review of the nondisclosure by commencing an action in Circuit Court in the County in which School is located.

Approved, November 13, 2018