

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY

8501

FREEDOM OF INFORMATION ACT

In order to comply with the provisions of, Delaware Code, Title 29, Chapter 100. Freedom of Information Act the Milford Board of Education adopts the following procedures:

1. The Board will hold a regular session meeting on the third Monday of every month. Whenever the regular meeting falls on a holiday or because of other conflicts, the Board will reschedule the meeting and post the change appropriately. The news media will be informed.
2. The district shall give public notice of their regular meetings and of their intent to hold an executive session closed to the public, at least 7 days in advance thereof. The notice shall include the agenda, if such has been determined at the time, and the dates, times and places of such meetings, including whether such meeting will be conducted by video-conferencing; however, the agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.
3. When the agenda is not available as of the time of the initial posting of the public notice it shall be added to the notice at least 6 hours in advance of said meeting, and the reasons for the delay in posting shall be briefly set forth on the agenda.
4. The district shall give public notice of any special or rescheduled meeting as soon as reasonably possible, but in any event no later than 24 hours before such meeting. A special or rescheduled meeting shall be defined as one to be held less than 7 days after the scheduling decision is made. The public notice of a special or rescheduled meeting shall include an explanation as to why the required 7 day notice could not be given.
5. All meeting dates and times and a copy of the agenda will be posted at the site of the meeting, and on the district website.
6. The Executive Secretary is designated as the custodian of all school district records. The Executive Secretary shall establish procedures for citizens of the State of Delaware to be able to inspect and copy records which are deemed public.
7. All FOIA requests should be submitted to the district's FOIA Coordinator at:

FOIA Coordinator
Milford School District
906 Lakeview Avenue
Milford, DE 19963

8. All fees for documents requested from the district will be charged in accordance with Delaware Code, Title 29, Chapter 100 §10002 (m).

Administrative fees shall be levied for requests requiring more than one hour of staff time to process. Charges for administrative fees may include staff time associated with processing FOIA Requests, including, without limitation: identifying records; monitoring file reviews; and generating computer records (electronic or print-outs). Administrative fees shall not include any cost associated with the Agency's legal review of whether any portion of the requested records is exempt from FOIA. The district shall make every effort to ensure that administrative fees are minimized, and may only assess such charges as shall be reasonably required to process FOIA requests. In connection therewith, the district shall minimize the use of non-administrative personnel in processing FOIA requests, to the extent possible.

Prior to fulfilling any request that would require a requesting party to incur administrative fees, the district shall provide a written cost estimate of such fees to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel or modify the request.

Administrative fees will be billed to the requesting party per quarter hour. These charges will be billed at the current hourly pay grade (pro-rated for quarter hour increments) of the lowest-paid employee capable of performing the service. Administrative fees will be in addition to any other charges incurred under this section, including copying fees.

For more information, please reference Title 29, State Government, General Regulations for State Agencies, Chapter 100: Freedom of Information Act at <http://delcode.delaware.gov/title29/c100/index.shtml>

Reference: Delaware Code, Title 29, Chapter 100

ADOPTED: 7/14/75

REVISED: 12/13/76; 10/23/89; 11/25/13; 11/16/15; 9/18/17