
FREEDOM OF INFORMATION ACT (FOIA)

I. PURPOSE

To establish policy and procedures for administering Freedom of Information Act (FOIA) requests.

II. DEFINITIONS

FOIA Coordinator: The Sussex County Vocational Technical School District public information officer or superintendent's designee shall serve as Freedom of Information Act Coordinator. The FOIA Coordinator may designate other employees to assist. The FOIA Coordinator shall post their contact information on the district website and share said information with the Department of Justice as required by Delaware Code.

WEB PORTAL: The District shall develop and maintain a web portal featuring this policy; the FOIA Request Form promulgated by the Office of the Attorney General; the name and contact information of the FOIA Coordinator; and permitting the receipt of FOIA requests via the Internet.

FOIA LOG: The FOIA Coordinator shall maintain a document tracking all FOIA requests, including the requesting party's contact information; the date the request is received; the District's response deadline; the date of the response, including the reasons for any extension; the names, contact information and dates of correspondence with individuals contacted in connection with each request; the dates of review by the District, and the names of individuals conducting reviews; whether documents were made available; the amount of copying and/or administrative fees assessed; and the date of final disposition. References to the FOIA Coordinator include the FOIA Coordinator's designee.

III. POLICY STATEMENT

The Sussex County Vocational Technical School District recognizes public business shall be performed in an open and public manner so citizens may have the opportunity to observe the performance of public officials and to monitor decisions. The district further recognizes it is vital that citizens have easy access to public records

in order that society remain free and democratic. To promote these principles, the Sussex County Vocational Technical School District adopts these policies and procedures.

IV. EXCEPTIONS

None

V. GUIDELINES

FOIA REQUESTS: All requests for records shall be in writing and delivered in person; by email; by fax; by U.S. mail; or through the Internet via the District's web page. The request shall be as specific as possible and shall describe the records sought in sufficient detail to enable the District to locate the records with reasonable effort. The FOIA Coordinator may request the citizen seeking public records provide additional information to assist in locating records such as the types of records, parties to correspondence and subject matter of the requested records. The FOIA Coordinator shall make every reasonable effort to assist in identifying the records sought. The District shall not be required to create records, or prepare summaries, compilations or indexes of records.

RECORDS IN THE CUSTODY OF ANOTHER PUBLIC BODY: If the request seeks records in the possession, and under the control of, another public body, the FOIA Coordinator will promptly forward the request to this public body and notify the Requesting Party of the request being forwarded. If, on the other hand, the records sought are controlled by the District but are not within the District's possession, the District will provide an itemized written estimate of the cost of retrieving the records. The Requesting Party will then decide whether to proceed with, cancel or modify the request.

RESPONSE DEADLINE: The District will respond to a FOIA request as soon as possible but, in all events, within 15 business days of receipt of the request. The response shall provide access to the records; deny access to all or part of the records, and state the reasons for the denial; or advise that additional time is needed because the request is for voluminous records, legal advice is required or a record is in storage or archived.

REQUESTS FOR EMAIL: The District will provide emails if it is able to do so with reasonable effort. If the assistance of District information and technology personnel is necessary in order to provide emails, the District will provide the Requesting Party an itemized written estimate of the charges incurred in retrieving such

records. The Requesting Party shall then decide whether to proceed with, cancel or modify the request.

REVIEWING RECORDS: Access for reviewing records shall be provided during the District's regular business hours.

FEES AND PAYMENT

- a. The cost of providing copies of paper records shall be:
 1. No charge for the first 20 pages of standard sized (8.5" x 11") black and white copies, and \$0.10 per page for each copy in excess of 20 copies (\$.20 per page for two sided).
 2. The charge for copying anything larger than 11" x 17" shall be at the current mail store or copy center rates plus 10% 18" x 22" shall be \$2.00 per page; 24" x 36" shall be \$3.00 per page; and larger than 24" x 36" shall be \$1.00 per square foot.
 3. Color copies/printouts shall be at the current mail store rate.
- b. The cost of copying records maintained in electronic format will be equal to the material costs in generating the records (i.e., the DVD, CD, or other electronic storage costs).
- c. There will be no charge for one hour or less of staff time to process a request for records (i.e., identifying records; monitoring review of records; and generating computer records in electronic or print-out form). Administrative fees shall not include legal consultation to determine whether records are exempt from disclosure. Administrative fees shall be billed to the Requesting Party per quarter hour at the current hourly pay grade of the lowest paid District employee capable of performing the service. Every reasonable effort shall be made to minimize administrative fees. Prior to fulfilling any request requiring a Requesting Party to incur administrative fees, the District will provide an itemized written cost estimate of the administrative fees, including the time required to provide said estimate. The Requesting Party will decide whether to proceed with, cancel or modify the request. When a Requesting Party submits multiple FOIA requests, the District may aggregate staff time to process such requests.
- d. The full cost of the estimated fees shall be paid before any service is performed.

VI. REPORTS

The FOIA Coordinator shall report a summary of FOIA requests to the superintendent at the conclusion of each calendar year.

VII. EXPIRATION/REVIEW

This policy will be reviewed based on the State of Delaware's annual FOIA training.

VIII. DELEGATION OF AUTHORITY

The public information officer or superintendent's designee is responsible for implementing this policy. The superintendent/designee shall develop forms and procedures, including charging appropriate fees necessary to approve the use of school facilities and maintain authority over their use. The superintendent/designee will maintain and update the application for use procedures and any related form(s) and fee(s) as appropriate.

EFFECTIVE DATE

Adopted: February 12, 2007, as part of the Board Policy Handbook review/adoption.

Revised: January 10, 2011

Revised: November 19, 2012

Revision/First Reading: October 15, 2018

Approved: November 19, 2018

Reviewed: January 24, 2024

Second Reading/Approved: March 13, 2024