

FREEDOM OF INFORMATION ACT POLICY (FOIA)

I. Policy Section

6.0 Human Resources

II. Policy Subsection

6. 19 Freedom of Information Act (FOIA)

III. Date of most recent changes

August 10, 2005

IV. Policy Statement

The Freedom of Information Act regulates and sets requirements for the disclosure of public records by all “public bodies.”

V. Reason for Policy

The release of documents from public institutions is required by law under the Freedom of Information Act (FOIA).

This policy will inform individuals of the process for obtaining information under the Freedom of Information Act (FOIA). In addition, the procedures will provide direction to College employees/offices that receive FOIA requests regarding the process for handling requests for public records under the Freedom of Information Act.

VI. Entities Affected by This Policy

Grand Rapids Community College Employees who receive requests for GRCC information in their capacity as College employees.

Board of Trustees who may, as board members, receive requests for information that relates to or involves the College.

Grand Rapids Community College Departments/Units particularly, Admissions, Registrar, Communications, Purchasing, Counseling, and Learner Resources and Technology Solutions, Human Resources, and Campus Police.

College Attorneys

General Public

The College will cooperate fully with the Federal Bureau of Investigation, as well as all other State and Federal Courts, Agencies and other entities having legal rights to College records.

VII. Who Should Read This Policy

All Grand Rapids Community College Employees
Board of Trustees
Public

VIII. Related Documents

Freedom of Information Act 442 of 1976
FERPA
HIPAA
Social Security Privacy Act
Conflict of Interest Policy
Bullard-Plawecki Act

IX. Contacts

FOIA Officer: Executive Director of Human Resources, Labor Relations,
Employment and EEO/AA,

FOIA Coordinator: HR/LR Generalist

X. Definitions

Public bodies include state officers, employees, agencies, departments, divisions, bureaus boards, commissions, councils, and school districts, as well as any other body which is created by state or local authority or which is primarily funded by or through state or local authority. “Public bodies” do not include private non-profit corporations.

Public records have been defined as writings prepared, owned, used by or in the possession of or detained by a public body in the performance of an official function, from the time it is created. The FOIA does not require a public body to create a compilation, summary, or report of information. Individual notes of a board member can not be discovered under the FOIA as the school board member or council person is not a public body.

Writing means, handwriting, typewriting, printing, photographing, photocopying and every other means of recording. “Writings” include letters, words, pictures, sounds, or symbols, or combinations thereof, and papers, maps, magnetic or paper tapes, photographic films or prints, microfilm, microfiche, magnetic or punched cards, discs, drums, or other means of recording or retaining meaningful content.

XI. Procedures

Receipt of Request: Upon receipt of a written request for a public record(s) the Executive Director of Labor Relations/FOIA Coordinator will notify the person

making the request, in writing, of the opportunity to inspect, copy, and/or receive copies of the requested documents.

Time Lines: FOIA requests are time sensitive and must be responded to within five (5) days.

Request for Extension: Requests for extensions to this deadline may be made by the Director of Labor Relations/FOIA Coordinator depending on the volume and nature of documents requested.

The extension period allows for an additional 10 days to respond to the individual requesting the information. This will allow sufficient time to gather the information requested and/or to draft an appropriate response.

Gathering Records: The FOIA Coordinator will forward a copy of the request for information to the appropriate office/department from which the information is being sought. If a request seeks records located in more than one location, the FOIA Coordinator will contact the appropriate individual(s) to obtain copies of the requested records

Any GRCC department, unit and/or employee shall promptly forward all FOIA requests to the FOIA Coordinator/Labor Relations office to be recorded and processed.

Coordination of Response: The FOIA Coordinator will coordinate the College's official response by:

- Gathering the requested records
- Preparing one set of copies for the requestor and one set of copies for college FOIA files.
- Ensuring that confidential information (as defined under the FOIA) is appropriately redacted from records prior to release.
- Mailing requested documents within the statutory timeframe and/or arranging a time and place for the requestor to inspect requested materials at the College.

Records: Copies of all written requests for information shall be kept on file in the Labor Relations Office for no less than three (3) years. FOIA requests will be summarized annually and archived on the HR "S" drive.

Fees: Fees shall be assessed and collected in accordance with the maximum charges allowable under the law. (Generally, this will be the hourly rate of GRCC's lowest paid employee (student worker) and the cost of printing).