



Policy 02.7 FREEDOM OF INFORMATION ACT (“FOIA”) REQUESTS

- A. **PURPOSE:** To describe how the Brandywine Board of Education (“BBE”) for the Brandywine School District (“BSD”) administers compliance with FOIA law, which pertains to access to public information.
- B. **POLICY:**
1. **FOIA Coordinator:** BSD’s Superintendent shall appoint a FOIA Coordinator who shall be responsible for developing and implementing procedures for handling FOIA requests in compliance with applicable law and regulation. BSD’s Superintendent may serve in that role. The FOIA Coordinator shall track all FOIA requests received within a fiscal year; and make information regarding such available to BBE upon request.
 2. **FOIA Procedure:** Subject to more specific provisions of Delaware law and regulation and BSD procedure, and as set forth below, BBE shall grant access to public records (as defined by 29 *Del. C.* § 10002(l)) that BSD owns, made, used, retained, received, produced, composed, drafted, or otherwise compiled and collected relating in any way to public business, public purposes, or the public interest of BSD (as such terms are further defined in 29 *Del. C.* § 10002 *et seq.*):
 - a. Requests shall be in writing, signed, and delivered in person, by email, by regular mail, by fax, or through the internet to BSD’s FOIA Portal (<https://www.brandywineschools.org/domain/1483>).
 - b. Requests shall be as specific as possible, adequately describing the records sought in sufficient detail to enable BSD to locate such records with reasonable effort.
 - c. Review of requested records shall be during regular business hours, in the presence of a BSD employee, and in a manner that does not disrupt normal BSD operations.
 - d. Original records may not be removed from BSD property.
 - e. Requested records may be copied in existing form.
 - f. Reasonable fees must be paid for copying.
 - g. Requested records may be provided in electronic form with the same fees as copied records.
 - h. If a BSD employee with specialized technology skills is required to access requested records (*e.g.*, for electronically stored information), additional fees may be required.
 - i. BSD will provide the requesting party an itemized written estimate of fees for retrieving requested records. The requesting party may then decide whether to proceed with, cancel, or modify the request.

- j. Requests shall be kept on file for three years.
- k. All requests shall be filled within fifteen business days unless it is impractical to do so. In case of delay, the Superintendent shall approve an extension and shall notify the requesting party in writing of the reason for the delay and the day, date, and time on which the records shall be available.

C. **REFERENCES:** 29 *Del C.* § 10001 *et seq.*