

FOIA Fee Appeal Process

If you believe that the fee charged by the District to process your FOIA request exceeds the amount permitted by state law, you must first appeal to the Huron Board of Education by filing a written appeal for a fee reduction with the Board of Education.

The appeal must specifically state the word “appeal” and identify how the required fee exceeds the amount permitted.

The Board of Education is not considered to have received a written appeal until the first regularly scheduled meeting following submission of the written appeal. Within 10 business days after receiving the appeal, the Board of Education will respond in writing by:

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Board of Education will respond to the written appeal.

Within 45 days after receiving notice of the Board of Education’s determination of the processing fee appeal, you may commence a civil action in the County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorney’s fees, costs and disbursements. If the court determines that the Board acted arbitrarily and capriciously by charging an excessive fee, the court may also award you punitive damages in the amount of \$500.