

MICHIGAN STATE UNIVERSITY

DATE: May 22, 2023

TO: Collin Dillinger – collin@grades.llc

FROM: Rebecca Nelson, Director and Freedom of Information Act (FOIA) Officer
Michigan State University FOIA Office

Rebecca Nelson

SUBJECT: FOIA Response Follow-up

On May 9, 2023, you emailed a FOIA request to this Office. On May 16th, we emailed to you data responsive to your May 9th request. You replied via email on May 16th asking, "It appears that the spreadsheet only includes grade data for numerical grades (out of 4.0). Could you please include the counts of other grade codes (e.g. CR, NC, P, N) for Spring 2023 as well?"

Upon receipt of your May 16th email, this Office again contacted the Michigan State University Office of the Registrar and was provided with the attached additional data responsive to your follow-up request. Information pertaining to student instructors, and data pertaining to courses for which there were ten or fewer enrollees have been withheld under Sections 13(2) and 13(1)(a) of the Michigan Freedom of Information Act (MIFOIA). Section 13(2) requires the withholding of information that, if released, would prevent the public body from complying with 20 U.S.C. 1232g, the Family Educational Rights and Privacy Act (FERPA). Section 13(1)(a) provides for the withholding of "Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy." No fee will be assessed for this processing of your follow-up request.



FREEDOM OF INFORMATION ACT OFFICE

**Michigan State
University**

408 West Circle Drive
Room 1 Olds Hall
East Lansing, MI 48824
517-353-3929
Fax: 517-353-1794
foia@msu.edu
<http://foia.msu.edu>

The MIFOIA provides that when a public body denies all or a portion of a request, the requester may do one of the following: (1) submit an appeal of the determination to the head of the public body; or (2) commence a civil action in the court of claims to compel the public body's disclosure of the records. If you wish to seek judicial review of any denial, you must do so within 180 days of the date of this letter. If the court of claims orders disclosure of all or a portion of the public record(s) to which you have been denied access, you may receive attorneys' fees and, in certain circumstances, damages under the MIFOIA. Should you choose to file an appeal with the University regarding this response to your request, you must submit a written communication to this Office expressly stating that it is an "appeal" of this response. In your appeal, please state what records you believe should have been disclosed to you. You must also state the reasons you believe any denial of your MIFOIA request should be reversed. This Office will arrange for the processing and review of your appeal. Pursuant to Section 4(4) of the MIFOIA, the University's procedures and guidelines for processing MIFOIA requests can be found at <http://foia.msu.edu>.

Attachment in Excel
MSUF029423 follow-up