

THE SCHULTZ-HOLMES MEMORIAL LIBRARY

Freedom of Information Act (FOIA) Request Policy

Purpose

The Schultz-Holmes Memorial Library supports the public's right to information regarding the affairs of the Schultz-Holmes Memorial Library. This document outlines the Library's practices and policies in regards to citizen requests for Library records.

Form of Request

All requests must be submitted using the FOIA request form to the library FOIA Coordinator and signed by the requester.

Specificity of Requests

Requests for records should be as specific as possible. The law notes that requests should describe "a public record sufficiently to enable the public body to find the public record..."

Exemptions

Library records that identify an individual as having requested or obtained certain materials from the Library are protected from disclosure in accordance with the Library Privacy Act, PA 455 of 1982.

The Michigan Freedom of Information Act provides for exemption of other information from disclosure under this act. The library will observe these exemptions when disclosing information under this act.

Denials and Appeals

Section 10 of the Michigan Freedom of Information Act provides for appeals of decisions to deny access to public records. If the Schultz-Holmes Memorial Library makes a final determination to deny all or a portion of a request for library business records, the requester may submit to the Library Board a written appeal that specifically states the word "appeal" and identifies the reason or reasons the denial should be reversed.

Timing of Response

The library will respond to a FOIA request within five business days after receipt of the request.

On Site Viewing

If a person wishes to examine the records without having the records duplicated, an appointment must be made for viewing during normal business hours. The Library may make reasonable rules to protect its records and to prevent excessive and unreasonable interference with the discharge of its functions.

In some instances where original documents contain exempt information, the exempt material will be removed and copies made for inspection. Please note that there still may be a fee charged for the cost of searching for and reviewing the original records and a deposit may be required before the requester may examine any documents or records.

Fees

In compliance with Michigan Freedom of Information Act, subject to provisions of fee waiver within this policy, requests for Library records will be filled for a fee. This fee may cover expenses related to research, review, copying and mailing of documents, if these services are requested under the FOIA.

Deposit

If the estimate of expenses exceeds \$50.00 the Michigan Freedom of Information Act allows the Library to require a good faith deposit of up to half the estimate, before beginning the search for documents.

If it is determined that a fee will be charged for a Freedom of Information Act request, and the request exceeds \$50.00, a deposit of 50% of billable costs, less \$20, must be received before the request is to be filled. This may be for searching out and procuring original documents for viewing on site or for the searching out, procurement and production and delivery of copies of public library records.

Notification

If it is determined that a fee should be charged, the Library notifies the requester of the estimated cost and the deposit amount, if required, and asks whether the requestor wants to proceed.

Collection

If fees from a prior FOIA request have not been paid, the library will make normal attempts to collect outstanding balances, including but not limited to issuance of invoices and following any other procedures allowed by law.

Fee Waiver

If provision of the requested material is in the interest of the residents of the entire service area, fees related to the request may be waived.

If less than one hour of work is involved, a public record search fee will be waived.

Generally speaking, requests for a single copy of a particular budget, report, minutes, or other discrete and readily identified items not exceeding 10 pages covered by the Act will be provided without fee.

Rates

Fees will be charged for fulfillment of extensive or non-specific requests for documentation at the following rates:

Public Record Search:

The hourly rate currently earned by the lowest paid employee capable of retrieving the information. When retrieving the documentation requires the time of the Director, the Board will

charge for the cost of the search because the nature of the request would otherwise result in unreasonably high cost to the library of diverting the Director from usual responsibilities.

Copying and Delivery Charges:

Copying costs will be charged at \$.10 per page for each page of cumulated documents requested in addition to the hourly rate currently earned by the lowest paid employee capable of copying the requested materials.

– or –

Copying costs will be charged at .25 per page for each page of cumulated documents requested with no charge for labor.

FOIA Coordinator

The Library Director serves as the Library's FOIA Coordinator.

Michigan Law

The Michigan Freedom of Information Act governs FOIA requests to the Schultz-Holmes Memorial Library.

FOIA Request Form:

See following page.

APPROVED: JUNE 2011
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FREEDOM OF INFORMATION ACT REQUEST

Date requested: _____

Name: _____

Address: _____
Street City State Zip

Phone number: _____

Please describe with specificity the document(s) you are requesting. If you are not sufficiently specific, we may not be able to identify the document(s) you request which may delay our response to your request:

You may pick up the report at _____ or have it mailed to you after review and approval is complete. This can take up to five (5) working days to complete, or such later date as may be extended by law.

_____ Will pick up _____ Please mail

You will be charged the allowable fees and costs under F.O.I.A. or you need to show documentation showing that you, the requester, are receiving public assistance or other facts showing inability to pay due to indigence. You agree to pay such fees and costs prior to the release of the documents.

I, the requester, am not a party to any civil action against the Village, or by the Village against myself, and I am not acting on behalf of such a party involving the records I am requesting at this time.

Signature

Department use only

No. of pages _____ Pick up cost _____ Mail cost _____