

WHITE LAKE TOWNSHIP LIBRARY

SUMMARY OF FOIA PROCEDURES AND GUIDELINES

Consistent with Public Act 563 of 2014 amending the Michigan Freedom of Information Act (“FOIA”) the following in the written public Summary of the Library's FOIA Procedures and guidelines relevant to the general public.

How do I submit a FOIA request to the Library?

1. Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Library must be submitted in writing.
2. A request must sufficiently describe a public record to enable the FOIA Coordinator to locate it.
3. No specific form is required but a FOIA Request form is available on the Library's website at www.whitelakelibrary.org.
4. Written requests can be made in person, by mail, fax or email
5. Email requests should include the term “FOIA” or “FOIA Request” in the subject line and be sent to dstefanick@whitelakelibrary.org

What kind of response can I expect?

1. Within five (5) business days of receipt of a FOIA request the Library will issue a response. If a request is received by email the request is deemed to have been received on the following business day. The FOIA Coordinator will respond in one of the following ways:
 - (a) Grant the request.
 - (b) Issue a written notice denying the request.
 - (c) Grant the request in part and issue a written notice denying the request in part.
 - (d) Issue a written notice that due to the nature of the request the Library needs an additional ten (10) business days to respond.
 - (i) Only one such extension is permitted.
 - (e) Issue a written notice indicating that the public record requested is available at no charge on the Library's website.
2. If the request is granted, or granted in part, the Library will ask that payment be made for the allowable fees associated with responding to the request before the requested public record is made available. If the cost of processing the request is expected to exceed fifty dollars (\$50.00), the Library will require that you provide a deposit in the amount of fifty percent (50%) of the total estimated fee. When the Library requests the deposit it will provide you a non-binding best efforts estimate of how long it will take to process the request following receipt by the Library of your deposit.

What are the Library's fees for processing a request?

1. Labor Costs:
 - (a) All labor costs will be estimated and charged in fifteen (15) minute increments with all partial time increments rounded down.
 - (b) Labor costs will be charged at the hourly wage of the lowest-paid employee capable of

doing the work in the specific fee category, regardless of who actually performs the work.

2. Flash Drive:
 - (a) The cost for records provided on a flash drive will be at the actual and most reasonable economical cost of the flash drive.
3. Paper Copies:
 - (a) Paper copies of public records made on standard (8 ½ x 11) or legal (8 ½ x 14) sized paper will be provided at ten cents (\$.10) per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
 - (b) The Library will use the most economical means available including two-sided copies.
4. Mailing Costs:
 - (a) The Library will use the least expensive method.
 - (b) If the requestor requests expedited shipping or insurance actual costs will be charged.
 - (c) The cost of the least expensive form of postal delivery confirmation.

How do I qualify for a reduction of the processing fees?

1. The Library may waive or reduce the fee associated with a request when the Library determines that to do so is in the public interest because release of the information is considered as primarily benefitting the general public.
2. The Library will waive the first twenty dollars (\$20.00) of the processing fee for a request if you submit a sworn statement that you are:
 - (a) indigent and receiving specific public assistance; or
 - (b) if not receiving public assistance, stating facts demonstrating an inability to pay because of indigency.
3. You are **not** eligible to receive the twenty dollar (\$20.00) waiver if you:
 - (a) have previously received discounted copies of public records from the Library twice during the calendar year; or
 - (b) are requesting information on behalf of other persons who are offering to providing payment to you to make the request.

How does the Library calculate FOIA processing fees?

1. A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of the unreasonably high costs.
2. The Michigan FOIA statute permits the Library to assess and collect a fee for six (6) processing components:
 - (a) Labor costs associated with searching for, locating and examining a requested public record.
 - (b) Labor costs associated with a review of a record to separate and delete information exempt from disclosure.
 - (c) The cost of a flash drive when a requestor asks for records in non-paper physical media.
 - (d) The cost of duplication of paper copies of public records.
 - (e) Labor costs associated with duplication, which includes making paper copies, making digital copies, or transferring digital public records to a flash drive or through the

- Internet.
- (f) The cost to mail or send a public record to a requestor.

How may I challenge the denial of a public record?

1. If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may file an appeal of the denial with the Library's Board of Trustees. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons you are seeking a reversal of the denial.
 - (a) Within ten (10) business days of the first Board meeting after receipt of the Appeal the Board will respond in writing by:
 - (i) reversing the denial;
 - (ii) upholding the denial; or
 - (iii) reversing the denial in part and upholding the disclosure denial in part.
2. Whether or not you submitted an appeal to the Board, you may file a civil action within one hundred eighty (180) days after denial of your request or after denial of your appeal.

How may I challenge the denial of an excessive FOIA Processing Fee?

If you believe that the fee charged to process your FOIA request exceeds the amount permitted by state law, you can submit a written appeal for a fee reduction to the Board of Trustees. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

1. Within ten (10) business days of the first Board meeting after receipt of the Appeal the Board will respond in writing by:
 - (a) waiving the fee; or
 - (b) reducing the fee and specifying the basis that supports the remaining fee; or
 - (c) upholding the fee and specifying the basis that supports the required fee; or
 - (d) issuing a notice detailing the reason for extending for not more than ten (10) business days the period during which the Board will respond.
2. Within forty-five (45) days of receipt of the Board's denial you may commence a civil action in the Oakland County Circuit Court.

Need more details or information?

This is only a summary of the Library's FOIA Procedures and Guidelines. For more details and information copies of the Library's FOIA Procedures and Guidelines are available at no charge at the Library and on the Library's website at www.whitelakelibrary.org.

Adopted: 06/28/2017