

6/19/15 Draft- Please read for approval at July 10 Board meeting.

Draft of RADL FOIA Policy.

Thanks!
JF

Freedom of Information Act Procedures (FOIA)

Roscommon Area District Library



If you wish to request business records of the Roscommon Area District Library, this web page is designed to assist you.

Form of Request

All requests must be submitted in writing 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 Roscommon Area District 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 them.

Fees

In compliance with Michigan Freedom of Information Act, subject to provisions of Section 11 of 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 district, 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.

The first \$20.00 of a 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 her usual responsibilities.

Copying and Delivery Charges:

Copying costs will be charged at \$.05 per page for each page of accumulated 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 .15 per page for each page of accumulated 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 Roscommon Area District Library.

- See more at: <http://www.roscommonlibrary.org/about-us/who-we-are-now.html>

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