

## **FREEDOM OF INFORMATION ACT POLICY**

The Bridgman Public Library complies with requests for library records in accordance with the Michigan Freedom of Information Act (FOIA), MCL 15.231 et. Seq.

### FOIA Coordinator for the Library

The Library Director shall be designated as the FOIA Coordinator for the library and shall be the official custodian of all public records maintained by the library. The Director shall report action taken on FOIA requests at the Library Board meetings.

### Definition of Public Records

A public record means a writing prepared, owned, used, in the possession of, or retained by the library in the performance of an official function, from the time it is created. A public record does not include computer software.

### Requests

Request for library records must be made in writing and submitted to:

Director/FOIA Coordinator  
Bridgman Public Library  
4460 Lake Street  
Bridgman, MI 49106

Requests should be as specific as possible, so that the library can make a reasonable effort to find and identify the requested document. The written FOIA request must be dated, signed by the requester, and include contact information in case the request needs clarification.

### Response

The FOIA Coordinator will respond to all written requests for library records within five days in one of five ways.

- provide the requested document(s);
- notify the requester of an estimated fee for providing the information;
- notify the requester of a 10 day extension in response time;
- deny the request, if the document is exempted under MCLA 15.231 et. Seq.;
- or a combination of the above.

### Exemptions

Certain library records, such as those that identify patrons or the material they check out, are exempt from disclosure under the Michigan Freedom of Information Act. The FOIA Coordinator will review the request to determine if any exemptions apply and may request assistance from the library's Attorney regarding the applicability of any exemptions.

### Release of records

The Library need not create new public records to satisfy a request, nor must the library make a compilation, summary or report of information. If a requester wishes to examine records without having the records duplicated, an appointment must be made for viewing during normal library business hours. If a requester wishes to have copies made of the records a fee will be charged. The library may make reasonable rules to protect its records and to prevent excessive and unreasonable interference with library operations. In some instances where original documents contain exempt information, the exempt material will be removed and copies made for inspection. A fee may be charged for the cost of searching for and reviewing the original records.

### Fees

Fees will be charged to cover expenses related to research, review, copying and mailing of documents.

- Copying records will be charged at .10 a page.
- Labor costs for researching, retrieving, photocopying, or converting a record to an electronic format will be calculated at the hourly rate of the lowest paid library employee.
- Postage will be charged based on the actual cost of sending the records to the requester.

The FOIA Coordinator will provide the requester with an estimate of the fees associated with request prior to filling the request. Charges less than \$20 will be waived. Charges will be waived if the release of the records benefits the general public.

### Deposit requirements

In cases where a charge exceeding \$50 is expected, a good faith deposit may be collected in advance, not to exceed one-half of the expected total fee. Release of documents will occur after the requester pays the deposit.

### Appeals process

If the library denies a request, the requester can submit a written appeal of the decision to the Library Board, or can begin an action in circuit court to compel the library to disclose the public records.