

Public Summary of FOIA procedures and guidelines:

Cooperative documents and records shall be available to the public in accordance with the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, (“FOIA”). Costs associated with responding to a request will be charged to the requester. Some materials, such as the minutes of Cooperative Board meetings, may also be available on the Cooperative’s website at <http://mml.org>.

A. How to submit written requests.

FOIA requests may be sent by mail or by email:

Mid-Michigan Library League

Attn. FOIA Coordinator

210 ½ N. Mitchell St.

Cadillac, MI 49601

Email: administrator@mml.org

Requests should include a name, phone, fax number [*as applicable*] and mailing address.

B. How to understand the Cooperative’s written responses to FOIA requests.

The Cooperative has several options when responding to written requests for public records. It can grant the FOIA request, deny the request, grant it in part and deny it in part, or take one 10 business day extension. After 10 business days pass, the Cooperative has to respond with one of the other options. If the request is granted or granted in part and denied in part, the Cooperative can also charge a fee to process the request. There is no fee for requests that do not require the Cooperative to incur costs above the threshold set in its Procedures and Guidelines. Fees are calculated using its procedures and guidelines, and you will receive a detailed itemization of the fee. The Cooperative may require you to pay a good-faith deposit before it processes your request. After you pay any deposit and final balance due, the Cooperative will produce records in its possession that fall within the scope of your request and that legally may be disclosed to the public. The Cooperative may also notify you that some of the records you have requested are available on its website.

If the request is denied, the Cooperative will inform you of the basis for its denial in a written notice. Reasons the Cooperative may deny a request include:

1. You did not describe the records you have requested well enough and the Cooperative cannot determine what you are asking for;
2. The Cooperative has determined that it does not have records that respond to your request in its possession;
3. The records do not exist (the Cooperative is not required to create new public records to satisfy a request, nor make a summary or compilation of information); or
4. The records you have requested are exempt from public disclosure under FOIA or another state or federal statute or regulation, for example, the Michigan Cooperative Privacy Act, MCL 397.601 *et seq.*

If all or part of your request is denied, the Cooperative will inform you of your right to appeal its denial to the Mid-Michigan Library League Board of Trustees and/or to file a lawsuit against the Cooperative in its written response.

C. Deposit requirements.

If the Cooperative estimates a fee to process a FOIA request greater than \$50.00, the Cooperative will require a good-faith deposit from you before providing the public records. The deposit shall not exceed 1/2 of the total estimated fee. Any written notice containing a notice of a deposit shall also contain a best efforts estimate by the Cooperative regarding the time frame after a deposit is received that it will take the Cooperative to provide the public records. The time frame estimate is not binding upon the Cooperative, but the Cooperative shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this State's public policy under section 1 of the FOIA, MCL 15.231, and the nature of the request in the particular instance.

If the total amount charged in a previous records request has not been paid in full, the Cooperative may require a deposit of up to 100% of the estimated fee before a full search of records for any subsequent request.

D. Fee calculations.

The FOIA permits the Cooperative to charge a fee to process FOIA requests using a form to give you a detailed itemization of the costs involved. The Cooperative may charge for the following costs:

1. the costs of labor for the search, location, and examination of public records;
2. the costs of labor for the review of public records and separation and deletion of exempt from nonexempt material;
3. the cost of non-paper physical media;
4. the cost of duplication and publication of public records;
5. the costs of labor for the duplication or publication of public records;
6. the actual cost of mailing public records.

The first \$20.00 of a fee will be waived if a requester submits an affidavit of indigence. The requester must include a statement that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

E. Avenues for challenge and appeal.

If the Cooperative charges a fee that you feel is too high, or denies all or part of a request, you may submit to the Cooperative Board a written appeal that specifically states the word "appeal" and identifies the basis for which the fee should be reduced or the nondisclosure determination should be reversed. Written appeals may be sent to the email address or mailing address listed above and will be forwarded to the Mid-Michigan Library League Board or the person designated by the Board to respond to written appeals.

F. FOIA Procedures and Guidelines

The Mid-Michigan Library League maintains a website at <http://mml.org>. The Cooperative's FOIA Procedures and Guidelines and Public Summary are available at no charge through this website. This link may be provided in lieu of providing paper copies in response to a written request, MCL 15.234(4).

MID-MICHIGAN LIBRARY LEAGUE
Freedom of Information Act Response

If payment is required as indicated in the accompanying letter, requested information will not be released until the payment described below is received. Please call the Mid-Michigan Library League FOIA Coordinator or return this form if you decide you do not wish to receive this information.

REQUESTOR'S NAME: _____

REQUESTOR'S ADDRESS: _____

REQUESTOR'S PHONE: _____ FAX: _____

REQUESTOR'S EMAIL: _____ WEBSITE: _____

Bill Calculation:

LABOR

- Searching for and locating the material: No. of Hours: 0.00 X Wage Rate (including fringes) \$0.00 = \$ _____
- Reviewing the material, including separating exempt from non-exempt material: No. of Hours 0.00 X Wage Rate (including fringes) \$0.00 (Multiplier used to calculate fringe benefits = 20%) = \$ _____

POSTAGE (Actual Cost) = \$ _____

DUPLICATING

- Labor: No. of Hours 0.00 X Wage Rate (including fringes) \$0.00 = \$ _____
- Paper: No. of Pages _____ X Copying Rate \$.10 per page = \$ _____

OTHER COSTS: Describe (e.g., Overtime, cost of duplicating to media other than paper)

\$ _____ Detail: _____

Make check (business/personal) or money order payable to: Mid-Michigan Library League

Mail Check/Money Order to: 210 ½ N. Mitchell St, Cadillac, MI 49601

~Return a Copy of this Invoice with Your Payment~

***Note:** If a deposit is requested (total is greater than \$50), the indicated amount is an estimate of the cost of complying with your request. The actual cost may vary from this amount. DEPOSIT \$ _____

~~~~~

**For Internal Use Only**

BALANCE TO BE PAID: \$ \_\_\_\_\_

Check / M.O. # \_\_\_\_\_

REQUESTED INFORMATION TO BE:

From: \_\_\_\_\_

\_\_\_\_ Provided without charge

Date Payment Received: \_\_\_\_\_

\_\_\_\_ Mailed upon receipt of payment

Date Documents Mailed: \_\_\_\_\_

\_\_\_\_ Paid and picked up in person

Date Documents Picked Up: \_\_\_\_\_