

## **Dover Township Freedom of Information Act (FOIA) Policy and Guidelines**

### **Preamble: Statement of Principles**

It is the policy of Dover Township that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The township aims to ensure that the public is fully informed to participate in the democratic process.

The township will comply with state law in all respects and respond to FOIA requests in a consistent, fair, and even-handed manner. The township acknowledges its legal obligation to disclose all nonexempt public records and will invoke exemptions only when necessary to ensure effective operation of government and protect individual privacy.

### **Section 1: General Policies**

1. The Dover Township Board designates the Township Clerk as the FOIA Coordinator. The FOIA Coordinator may designate other staff to act on their behalf to accept and process written requests for public records and approve denials.
2. FOIA requests received by fax or email are deemed received on the following business day. If a request is sent to a spam or junk folder, it is considered received one day after the FOIA Coordinator becomes aware of it.
3. The township is not obligated to create new records or compile summaries of information that do not exist. The FOIA Coordinator and staff are not required to provide answers to questions contained in FOIA requests.
4. The township will make this Policy and Guidelines document and the Written Public Summary available without charge. Copies will be available at the township office and on the township's website.

### **Section 2: Requesting a Public Record**

1. Requests to inspect or obtain copies of public records can be submitted in writing via letter, fax, email, or in person at any township office.
2. Requests must describe the public record sufficiently to allow township personnel to identify and locate it.
3. Requests can be made for records to be provided in non-paper formats, such as digital media, if the township has the necessary technological capability.
4. Individuals serving sentences of imprisonment are not entitled to submit FOIA requests.

### **Section 3: Processing a Request**

1. The township will respond within five (5) business days of receiving a FOIA request unless otherwise agreed upon in writing. Responses may include:
  - o Granting the request.
  - o Denying the request with a written notice.
  - o Granting in part and denying in part.
  - o Requesting an extension of up to ten (10) additional business days.
2. If the request is granted, the requester will be required to pay any applicable fees before receiving the records.

3. If the request is denied, the township will provide a Notice of Denial, including an explanation of exemptions, appeal rights, and options for judicial review.

#### **Section 4: Fee Deposits and Calculations**

1. If the estimated fee for processing a request exceeds \$50, a deposit of up to 50% may be required.
2. Fees may be charged for labor, copying, and mailing costs. Fees for labor will be based on the hourly wage of the lowest-paid capable employee and will be calculated in 15-minute increments.
3. If the township fails to respond in a timely manner, it will reduce labor costs by 5% for each day past the deadline, up to a 50% maximum reduction.

#### **Section 5: Appeals**

1. **Denial of Public Records:** If a request is denied, the requester may appeal the decision by submitting a written appeal to the Township Supervisor. Appeals must state the word "appeal" and the reason for the appeal.
2. **Excessive Fees:** If the requester believes the fee exceeds what is permitted, they can appeal by submitting a written appeal specifying how the fee is excessive.
3. Appeals will be reviewed at the next scheduled Township Board meeting, and a response will be provided within ten (10) business days.

#### **Section 6: Waiver and Reduction of Fees**

1. The township may waive or reduce fees if the request serves the public interest. Individuals who are indigent may receive the first \$20.00 of fees waived upon submitting a qualifying affidavit.
2. Nonprofit organizations advocating for the rights of the developmentally disabled or mentally ill may also qualify for fee reductions under specific conditions.

#### **Section 7: Availability and Access**

This FOIA Policy and Guidelines document and the Written Public Summary will be available on the township's website and at the township office to ensure transparency and public accessibility.

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**Dover Township remains committed to transparency and upholding the principles of the Freedom of Information Act to serve the public effectively.**