

Local Governing Boards in Calhoun County – Information on Policies

Freedom of Information Act (FOIA) Requests and Public Comments at Board Meetings

With Some FOIA-Related Links

County Board of Commissioners

FOIA Policy: The county's current FOIA policy (last approved/revised 1997/10/02) is a 9-page PDF file. Not found on line.

FOIA Charges: 1-page PDF file (undated, but provided 2009/01/27). Not found on line.

Copies: \$0.0511 black & white; \$0.104 color.

Labor: "Hourly wage of the lowest paid County employee capable of retrieving the information necessary to comply with the request."

Mailing: Actual mailing cost.

FOIA Contact: **Richard C. Lindsey, Jr.** – Corporation Counsel and FOIA Co-ordinator <RLindsey@CalhounCountyMI.gov>
(269) 781-0917 / fax (269) 781-0140

Public Comment: Board rules on "Citizens' Time": 1-page PDF file (undated, but provided 2009/01/27). Not found on line. Highlights:
2x/meeting (agenda & non-agenda items); go to podium, announce name & home community, speak for up to 5 minutes.

City Commissions/Councils

Albion City Council

FOIA Policy: The city's current FOIA policy (last approved/revised 1997/08/05) is 7 pages long (including forms). Not found on line, or available in electronic format from the city. (However, [jalp](#) has scanned a hard copy of the 4-page body of the policy into a PDF file.)

FOIA Charges:

Copies: For simple requests, a flat fee of 25¢ per page may be charged.

Labor:

Mailing:

FOIA Contact: **Kerry Helmick** – Finance Director/City Clerk (& FOIA Co-ordinator) <KHelmick@ci.Albion.MI.US> (517) 629-5535

Public Comment: Included in Council Rules (last approved/revised 2004/02/17) – 11 pages long. Not found on line. Highlights:
"Citizens' Comments" 2x/meeting (agenda & non-agenda items); give name, address, and who you're representing if not yourself.
May speak for up to 5 minutes (each session). "Proper protocol and decorum is required."

Battle Creek City Commission

FOIA Policy: The city's current FOIA policy (adopted 2000/12/05) is 4 pages long. The policy is not posted on the city's Website, and the city proposed to charge \$4.35 to put that policy and the public-comment policy into electronic form and e-mail it to jalp.

However, the policy is on line at the Michigan Municipal League Website: <http://www.MML.org/pdf/policies/FOIA-BattleCreek.pdf>

FOIA Charges:

Copies:

Labor: The proposed \$4.35 charge mentioned above was explained as based on ¼ hour of labor. "Charges for FOIA labor costs are determined by using the wages of the lowest, paid, full-time staff employee in my office capable of retrieving the requested information. Although the FOIA Policy is in Word Format and can easily be searched in our data base and forwarded. The employee will have to search the Public Comment policy in our ordinance and create a PDF file for you." (DLaser, 2009/01/27)

Mailing:

FOIA Contact: **Deidre Laser** – Clerk (& FOIA Co-ordinator)/Battle Creek City <DALaser@ci.Battle-Creek.MI.US> (269) 966-3348

Public Comment: Detailed rules in Subsection XVII, § 212.02 (Rules of Procedure of the Commission) of the city's Codified Ordinances:
[http://www.amlegal.com/nxt/gateway.dll/Michigan/battlecreek/parttwo-administrationcode/titlefour-legislation/chapter212/citycommissionmayor?f=templates\\$fn=document-frame.htm\\$3.0#JD_212.02](http://www.amlegal.com/nxt/gateway.dll/Michigan/battlecreek/parttwo-administrationcode/titlefour-legislation/chapter212/citycommissionmayor?f=templates$fn=document-frame.htm$3.0#JD_212.02) [this is all one **long** Webpage address]

Up to 3 minutes per opportunity (consent agenda, public hearings, specific ordinances/etc. if recognized, general comment).

Marshall City Council

FOIA Policy: The city's current FOIA policy (last approved/revised 2005/07/07) is 2 pages long. It is available at the City's Website:
http://www.CityofMarshall.com/reference/refdocs/609-FOIA_policy_statement.pdf

FOIA Charges: For "documents readily available to copy and/or twenty (20) pages or less": 25¢ per page + any actual mailing costs.

"For documents requiring research, compilation and copy time and/or greater than 20 pages":

Copies: 6¢ per page, single-sided; 8¢ per page, double-sided. (CDs, diskettes, videorecordings, etc. shall be charged at cost.)

Labor: Charged "at the rate of the [City's] lowest paid employee capable of performing the research, compilation and/or copying."

Mailing: Actual mailing costs.

FOIA Contact: Trisha Nelson – Deputy Clerk <TNelson@CityofMarshall.com>
or Sandra Bird – Clerk-Treasurer/Marshall City <SBird@CityofMarshall.com>

City Hall: (269) 781-5183

Public Comment: Up to 5 minutes on agenda items (before business), 5 minutes on non-agenda items (after business).

Longer presentations can sometimes be arranged. Council may ask persons involved in an agenda item to speak or ask questions. For details, see Rules 6.2 (Public Participation) & 6.3 (Meeting Decorum), City Council Rules of Procedure (revised 2006/09/18): http://www.CityofMarshall.com/reference/refdocs/1267-Council_rules_of_procedure.pdf (8 pages, PDF format)
City Website has a [FOIA "front page"](#) linking to policy & form and the FOIA statute – but the links weren't working at last check.

Springfield City Council

FOIA Policy: No formal policy at present – but city may be considering establishing one. [per FPeterson, 2009/01/29]

FOIA Charges: “As a policy, we simply follow the provisions outlined in the act (i.e. wages of lowest paid person capable of doing the work, copy costs per our fee schedule, and any actual costs involved in mailing or otherwise delivering the document to the requested party). All FOIA requests are forwarded to the FOIA Administrator (me), and
Copies: I respond w/in five business days. Remember that our business days are M-Th.” [per FPeterson, 2009/01/29]
Labor:
Mailing:

FOIA Contact: Frank Peterson – City Manager (& FOIA Co-ordinator) <FPeterson@SpringfieldMich.com> (269) 965-2354

Public Comment: “Citizens Comments” period is after Council business & “Council Comments” on agenda, and just before adjournment.

Township Boards

Albion Township [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly Thomas Frank – Supervisor/Albion Township <ThomasFrank3792@yahoo.com> (517) 629-2289

Public Comment: 2 opportunities (before & after main business); [up to] 2 minutes each time. [per latest mtg agenda, 2009/03/17]

Athens Township [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly Debera Denney – Clerk/Athens Township <ATFD278@aol.com> (269) 729-5305

Public Comment: “Citizens Time” before and after departmental reports, new & old business. [per latest mtg agenda, 2009/04/07]

Bedford Charter Township [no response yet to request for policies . . . e-mail problems may have delayed recognition of request]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly Alberta Duck – Clerk/Bedford Charter Township <Alberta@BedfordCharterTwp.com> (269) 968-6917

Public Comment:

Burlington Township

FOIA Policy: “Burlington Township follows the guidelines set in Section 4, MCL 15.234.” [per DMack, 2009/02/03]

FOIA Charges:

Copies: “Our fee calculations are as follows: 10 cents per copy to cover paper and copying costs;
Labor: our lowest paid clerical staff is paid \$12.00 per hour which would be applied to any time used for FOIA.”
Mailing: [per DMack, 2009/02/03]

FOIA Contact: possibly Darlene Mack – Clerk/Burlington Township <DMack@UnionCitySchools.org>
or Thomas Case – Supervisor/Burlington Township <ThomasCase@rocketmail.com> Township office: (517) 765-2323

Public Comment: “Comments from the Audience” after consent agenda, then “Comments from the Audience on Discussion Items”.
“This meeting is a meeting of the Township Board in public for the purpose of conducting the townships business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda items (5) and (7).” [per latest mtg agenda, 2009/03/12]

Clarence Township [no response yet to request for policies . . . but agendas are reportedly prepared on a typewriter, so it seems not very likely that the policies are available in an electronic form]

FOIA Policy:

FOIA Charges:

Copies:

Labor:

Mailing:

FOIA Contact: possibly Sheryl Proteau – Clerk <SProteau@springcom.com> OR <Clarence_Twp@springcom.com> (517) 857-2288

Public Comment:

Clarendon Township [no response yet to request for policies . . . possible change in personnel?]
FOIA Policy:
FOIA Charges: Copies / Labor / Mailing
FOIA Contact: possibly **Sharla Vincent** – Clerk <ClarendonClerk@yahoo.com> Township office (517) 767-4772
or **Pat Burgett** <angelgrams5@yahoo.com>
Public Comment:

Convis Township [no response yet to request for policies]
FOIA Policy:
FOIA Charges: Copies / Labor / Mailing
FOIA Contact: possibly **Julia Schafer** – Supervisor/Convis Township <TopBossLaw@yahoo.com> (269) 789-0654
Public Comment: Up to 3 minutes before main business; up to 5 minutes after business. [per latest mtg agenda, 2009/01/13]

Eckford Township: No formal policy at present – but “in the process of adopting a new/current FOIA policy”. [per KHinkley, 2009/01/30]
FOIA Policy: “[A]t this time there is no charge policy. . . . As soon as one is adopted I would be glad to let you know.” [2009/01/30]
FOIA Charges: FOIA policy/fee schedule proposed for 2009/03/16 agenda; now checking to see if it passed.
Copies: 20¢ per letter-size page, 25¢ per legal-size page (on township’s copier); \$2 per computer disk.
Labor: \$10 per hour (with the limitations mentioned in Section 14 of the Michigan Freedom of Information Act, MCL 15.244).
Mailing:
FOIA Contact: possibly **Kimberly Hinkley** – Clerk/Eckford Township <EckfordTwpClerk@aol.com> (269) 781-9222
Public Comment: “As far as our Citizens Comment we have followed the guidelines of our MTA handbooks. We limit the amount of time to speak if we have many constituents in our audience.” [per KHinkley, 2009/01/30]

Emmett Charter Township [request for policies acknowledged by GMaichele via e-mail 2009/01/26, but no other response yet]
FOIA Policy:
FOIA Charges: Copies / Labor / Mailing
FOIA Contact: possibly **Gloria Maichele** – Clerk/Emmett Charter Township <GMaichele@emmett.org> (269) 968-0241
Public Comment: Comment periods before and after main business – but “[c]omments regarding issues on the agenda must be reserved until the issue is being addressed. Persons who wish to make comments must be recognized by the meeting chairperson and are asked to speak from the podium. Comments are not limited to a single subject, but are limited to three (3) minutes total. The meeting chairperson can further limit time if comments become redundant.” [per latest mtg agenda, 2009/01/06]

Fredonia Township [no response yet to request for policies; however, 1-page PDF FOIA request form is available online at
FOIA Policy: http://www.FredoniaTownship.com/FOIA_Request_Form.pdf
FOIA Charges: Copies / Labor / Mailing
FOIA Contact: possibly **Ruth Albaugh** – Clerk/Fredonia Township <Clerk@FredoniaTownship.com> (269) 781-8115
Public Comment:

Homer Township
FOIA Policy: No policy statement as such – but township adopted fee-structure resolution in 1999. (All these 1999 documents
Other forms also date to 1999: fee worksheet, denial form, and notice to expand response time. are in MS Word .DOC files.)
FOIA Charges: Per fee-structure resolution adopted in 1999 [per JJohnson, 2009/01/25]
Copies: 20¢ per page; \$2 per computer disk.
Labor: \$10 per hour.
Mailing: “Cost of current postal rates & mailing materials.”
FOIA Contact: possibly **Jennifer Johnson** – Clerk/Homer Township <HomerTwnshp@broadstripe.net> (517) 568-5730
Public Comment: 3 minutes on non-agenda items near start of meeting (“Public Voice” time); Board may add time at end of meeting.
Citizens can also speak one time for 3 minutes on each agenda item after Board discussion and before the Board votes.
[per “Public voice policy statement” adopted 1999/12/14 – 1 page, MS Word .DOC file]

Lee Township [no response yet to request for policies . . . but agendas are reportedly not preserved in electronic
FOIA Policy: form, so it seems not very likely that the policies are available in an electronic form]
FOIA Charges:
Copies: [Note: The township initially quoted a price of \$13.42 for mailing a copy of a 1-page agenda
Labor: (including \$10 for a minimum charge of 1 hour’s worth of labor).]
Mailing:
FOIA Contact: **Clayton Boesen** – Clerk & FOIA Administrator/Lee Township <LeeTwp@sbcglobal.net> (269) 749-9292
Public Comment: Opportunities provided before and after main block of business. [per latest mtg agenda, 2009/02/04]

Leroy Township 2004 FOIA, public-comment policies combined in a 2-page file (MS Word .DOC format from township, PDF from jalp).
FOIA Policy:
FOIA Charges: other details: Twp Bd will review paper/copying costs annually; labor cost to Twp unreasonably high if est. >60 minutes
Copies: from the FOIA policy adopted in 2004: "The fee schedule is 5[]cents a page for copies and
Labor: an hourly fee based on the lowest paid person in our office which is currently \$ 9.25[]/hr." [per SGasser, 2009/02/03]
Mailing: "[T]he fee charged shall also recognize postage, mailing, facsimile and floppy disc costs[.]"
FOIA Contact: possibly **Sharon Gasser** – Clerk/Leroy Township <Clerk@LeroyTownship.org> (269) 979-9421
Public Comment: Up to 2 minutes "Citizens Time" to address the board on any item that is not on the agenda. Members of the public may also address a specific agenda item at the time that the item is taken up by the board for up to 2 minutes. "When all persons who wish to address that agenda item have been heard, the supervisor shall announce that public comment on the agenda item is concluded. Board members shall then discuss the agenda item, and no further public comment shall be entertained."
[per policy 2.4(e) "Public Participation (Board of Trustee Meetings)", adopted 2004 and forwarded to jalp by SGasser 2009/02/03]

Marengo Township In response to jalp's initial agenda-subscription request, township initially offered only a hard-copy subscription – which it claimed would cost it \$30 for 6 months. At last report, township was looking into what it can legitimately do (it does not have a Website, but some Board members have e-mail).
FOIA Policy:
FOIA Charges:
Copies:
Labor:
Mailing:
FOIA Contact: **Robert Brownell** – Supervisor (& FOIA Chair, according to a hard-copy message 2009/01/09) (269) 781-8422
can be reached by e-mail c/o **Doreen VanSickle** – Clerk/Marengo Township <DSickle_2000@yahoo.com>
Public Comment: 1 opportunity – after Board Comments, before Adjournment; "individuals will be limited to 5 minutes of comments."
[per latest mtg agenda, 2009/01/27]

Marshall Township [request for policies was denied; documents "do not exist under this name or a reasonable similar name"]
FOIA Policy:
FOIA Charges:
Copies: "Informally, the calculation of cost have always been done on current costs to the township
Labor: and at my salary. Believe it or not I'm actually the cheapest in the office." [per CSink, 2009/02/03]
Mailing:
FOIA Contact: possibly **Cynthia Sink** -- Clerk/Marshall Township <Marshall_Twp@sbcglobal.net> (269) 781-7976
Public Comment: "As for the citizens comment policy the board has always allowed folks to speak their mind. If Gene sees there are a lot of people at the meeting he will ask why they are there and may, with the agreement of the board, set a time limit for people to speak. The only time it happened I believe he set five minutes. I do believe we will put this into a written policy so in the future so all will know." [per CSink, 2009/02/03]

Newton Township [no response yet to request for policies . . . but progress recently made on agenda-subscription request]
FOIA Policy:
FOIA Charges: Copies / Labor / Mailing
FOIA Contact: possibly **Mary Aldrich** -- Clerk/Newton Township <NewtonClerk@comcast.net> (269) 979-3212
Public Comment: 1 opportunity, before reports and old/new business; time limit unknown. [per latest mtg agenda, 2009/03/10]

Pennfield Charter Township
FOIA Policy: A 3-page copy of Resolution 00-45 (adopted 2000/04/11), which set a fee schedule for FOIA requests, is now available in electronic format. (KCase faxed it to jalp 2009/02/03; he put the images of the pages into a PDF file and sent the file back to KCase.)
FOIA Charges: These are the most common charges (the resolution also adopted some special prices for specialized items).
Copies: 50¢ per standard-size page (letter- or legal-size, one- or two-sided).
Labor: "Hourly wages of lowest paid Township employee capable of retrieving the information necessary to comply with a request."
Mailing: "Actual cost of postage will be charged for anything that is requested to be mailed."
FOIA Contact: Rob Behnke – Township Supervisor (& FOIA Co-ordinator) <Rob@PennfieldTwp.com> (269) 968-8549
alternate: **Kathleen R. Case** – Clerk/Pennfield Charter Township <clerk@PennfieldTwp.com>
Public Comment: A 2-page "Public Participation" policy document is now available in electronic format.
(KCase faxed it to jalp 2009/02/03; he put the images of the pages into a PDF file and sent the file back to KCase.) Highlights:
Participation allowed at start & end of meeting, and during an agenda item with OK of person presiding. 5-minute limit per statement.
Speaker must give name (and group affiliation if applicable), must be recognized by presiding person & direct all remarks to her/him.

Sheridan Township The township uses Michigan Township Association FOIA costing guidelines –
FOIA Policy: "with the pricing of all materials depending on who has to compile the materials[]
FOIA Charges: (If I have time then I do it at no cost[;] if my secretary has to do it, then there is a cost)

Copies: and of course a cost for printing and paper." [per BHeisler, 2009/01/24]
Labor: [MTA guidelines (revised January 2008) are available at <http://www.MichiganTownships.org/FOIA.asp>;
Mailing: or directly at http://www.MichiganTownships.org/downloads/2008_FOIA_policy_with_forms.doc;
it's a 32-page MS Word .DOC file, but it doesn't include a "policy statement" as such]

FOIA Contact: possibly **Brenda Heisler** – Clerk/Sheridan Township <BBHeisler@yahoo.com> (517) 629-2604
Public Comment: A 3-minute rule[limit?] for comments, with identification and address of those speaking. [per BHeisler, 2009/01/24]

Tekonsha Township [request for policies was denied; documents "do not exist under this name or a reasonable similar name"]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: **Sharon Drumhiller** – Supervisor (& FOIA Co-ordinator) <TekTwpSup@charterinternet.com> (517) 767-3366 or -4234

Public Comment: 1 opportunity, before approval of agenda or other business. [per latest mtg agenda, 2009/03/02]

Village Boards

Athens Village [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Bonnie Conant** – Clerk/Athens Village <BonnieJC44@aol.com> (269) 729-5515

Public Comment:

Burlington Village [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Darlene Mack** – Clerk/Burlington **Village** <DMack@UnionCitySchools.org> (517) 765-2787

Public Comment:

Homer Village [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Teresa Hayes** – Clerk/Homer Village <clerk@HomerMich.org> (517) 568-4321

Public Comment:

Tekonsha Village [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Sara Miller** – Clerk <TekVillMI@cbpu.com> (517) 767-3725 or Village office (517) 767-4204

Public Comment:

School Boards

Calhoun Intermediate School District

FOIA Policy: Policy AG 8310A "Public Records" (undated, 2 pages, PDF) was forwarded by ReNae Anderson 2009/02/03.

FOIA Charges:

Copies: "no more than the actual cost for the duplication plus

Labor: any applicable clerical costs which will be charged at an hourly rate equal to the lowest paid full-time staff member

Mailing: capable of retrieving the information being sought by the requestor." [sic]

FOIA Contact: **Rebecca Rocho** – Assistant Superintendent (& FOIA Co-ordinator) <RochoB@CalhounISD.org> (269) 789-2450

Public Comment: Policy 0167.3 "Public Participation at Board Meetings" was last revised 2004/06/28.

It and a few other meeting-related policies (3 pages, PDF) were forwarded by ReNae Anderson 2009/02/03. Highlights:

3-minute limit per speaker; 15 minutes total time for public participation unless presiding officer extends that time at her/his discretion.

Speakers must be acknowledged by presiding officer; address the chair; and give name, address, and group affiliation if relevant.

Anyone may offer an item for the CISD agenda; must offer at least 10 days before meeting, get OK from Supt. & Board President.

Albion Public Schools

FOIA Policy: Policy statement 8310 last revised 2006/12/12. Text of statement & fee information forwarded by SArmistead 2009/01/27.

FOIA Charges:

Copies: "no more than the actual cost for the duplication plus

Labor: any applicable clerical costs which will be charged at an hourly rate equal to the lowest paid full-time staff member

Mailing: capable of retrieving the information being sought by the requester."

FOIA Contact: possibly **Susan Armistead** -- Administrative Assistant to Superintendent <SArmiste@Albion.K12.MI.US> (517) 629-9166

Public Comment: After "Agenda for Discussion and Action", before board/staff announcements. [per latest mtg agenda, 2009/03/10]

"Citizen statements and comments: Speakers should identify themselves and keep remarks succinct."

Athens Area Schools [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Diana Casselman** -- Executive Secretary <CasselD@Athens.K12.MI.US> (269) 729-5427

Public Comment:

Battle Creek Public Schools [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Nichole Greene** -- Administrative Secretary <NGreene@Battle-Creek.K12.MI.US> (269) 965-9466

Public Comment:

Bellevue Community Schools [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Diane Bass** -- Administrative Assistant <DBass@Bellevue-Schools.com> (269) 763-9432

Public Comment:

Harper Creek Community Schools FOIA, public-comment policies combined in one 3-page MS Word .DOC file.

Policies undated; document forwarded by Executive Secretary to the Superintendent Gail Braman 2009/01/30.

FOIA Policy:

FOIA Charges: "The Superintendent shall charge a fee to cover actual costs of providing access to

Copies: and/or copies of public records in accord with law."

Labor:

Mailing:

FOIA Contact: **John Severson** -- Superintendent (& FOIA Co-ordinator) <SeversonJ@HarperCreek.net> (269) 441-6555

Public Comment: 1 opportunity for "Citizens' Input"; comes before consent agenda, action items. [per latest mtg agenda, 2009/03/09]

Each speaker may give name & address. Speakers representing a group should say whether comments are group's official position.

Up to 5 minutes per speaker, unless there are enough speakers to exceed the total 30-minute time limit for all public comments.

In that case, Board President can limit speakers to 3 minutes each or Board can extend the total time limit.

If a delegation wants to present comments, up to 5 members can speak for a total of 15 minutes.

Homer Community Schools FOIA, public-comment policies combined in one 12-page PDF file.

Policies adopted 2002/03/18; document forwarded by Executive Secretary to the Superintendent Sharron Edler 2009/02/06.

FOIA Policy:

FOIA Charges:

Copies: 7¢ per page (unless the job must be done using outside copying equipment; in that case, actual cost).

Labor: "Labor costs incurred in duplication and mailing assessed at the hourly wage of the lowest paid employee of the District capable of retrieving, copying, and mailing the information necessary to comply with the request." (+ research/etc cost if over \$20)

Mailing: "Actual mailing costs."

FOIA Contact: **Rob Ridgeway** -- Superintendent (& FOIA Co-ordinator) <RidgRo@HomerSchools.net> (517) 724-9331

alternate: **Kathy Mills** -- Finance//Homer Community Schools <MillKa@HomerSchools.net> (517) 724-9332

Public Comment: 1 opportunity for "Public Participation"; comes before any reports or action items. [per latest mtg agenda, 2009/03/16]

Each speaker may give name & address. Speakers representing a group should say whether comments are group's official position.

Up to 5 minutes per speaker, or up to 5 members of a delegation speaking for 15 minutes total. But if there are enough speakers to exceed 30 minutes for all public comments, Board President can limit speakers to 3 minutes each or Board can extend total time limit.

Lakeview School District

FOIA Policy: 1-page administrative guideline (AG) 8310A on "Public Records" & FOIA forwarded in PDF format by CRuble 2009/01/27.

FOIA Charges: 1-page explanation of fees forwarded in PDF format by CRuble 2009/01/27. (Latest revision June 2008, per policy:

"The per copy and hourly wage costs shall be reviewed and published so that they reflect the current actual costs.")

Copies: "Actual incremental cost of duplication or publication @ \$.05 per page".

Labor: "[Costs for duplication, mailing, search, examination, review, deletion and separation of exempt from non-exempt information at the current hourly wage of the School District's lowest paid employee who is capable of retrieving the information necessary to comply with a request under the Freedom of Information Act." Except for duplication, labor is not charged unless over \$20.

Mailing: "Actual mailing cost billed [at] the U.S. postage rate".

FOIA Contact: Karen Dysinger – Admin. Exec. Sec'y to Sup't (& FOIA Co-ordinator) <KDysinger@LakeviewSpartans.org> (269) 565-2411

Public Comment: 2 times on the agenda for public comments, one toward the beginning of the agenda and the other toward the end.
3-5 minutes/person (or 15 minutes/1 person for group), 30 minutes total; President can cut time per person, Board can add total time.
Speaker must give name, address; if representative of group, must say if her/his comments are the group's official position.

Mar-Lee Schools

FOIA Policy:

FOIA Charges: "For the Mar Lee School I have no specific policies, o[u]r intent is to simply comply with the law

Copies: and your request. There will probably be no billing unless you make a request that requires

Labor: a significant amount of work at my end." [per WLeTarte, 2009/01/26]

Mailing:

FOIA Contact: possibly William LeTarte – Superintendent/Mar-Lee Schools <LeTarteW@Mar-Lee.org> (269) 781-5412

Public Comment: "Items from the Public" ("Prior" and then "New") after main business, before comments from board and administration.

Marshall Public Schools

FOIA Policy: Should be on line at <http://www.neola.com/MarshallPublic-MI/search/policies/po8310.htm> – but wrong page is posted.

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly Kimberly VanWormer – Sec'y to the Sup't <KVanWormer@Marshall.K12.MI.US> (269) 781-1250, ext. 1105

Public Comment: MPS by-laws section 0160 on "Meetings" in general, including 0167.3 on "Public Participation at Board Meetings", is on line at <http://www.neola.com/MarshallPublic-MI/search/policies/po0160.htm> (0167.3 is on pages 6-8 of 12). Highlights:

Speaker must give name, address; if representative of group, must say if her/his comments are the group's official position.

60 minutes total, 3 minutes per person (Board can vote to extend the overall time).

Anyone may offer an item for the agenda; must offer at least 14 days before meeting, get OK from Supt. & Board President.

2 opportunities to speak: on agenda items only before business, and general "Public Comment" after all business is done.

Olivet Community Schools

FOIA Policy: 2009/01/26 e-mail from TMontague suggests "Board Policy #2810 Public Review and Inspection of Records that outlines our district's fee structure" – and other policy documents – are available in hard copy only.

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly Teresa Montague – Secretary to the Superintendent <MontagT@OlivetSchools.org> (269) 749-9129

Public Comment: 2 chances for "Public Input" – before and after business items. [per latest mtg agenda, 2009/03/09]

Pennfield Schools

[no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly Kathy Swartz – Receptionist/Technology <SwartzK@Pennfield.net> (269) 441-5531

Public Comment:

Tekonsha Community Schools

FOIA Policy: "[W]e do not have the 'procedures and guidelines' or the 'policy on comments by citizens' on electronic file."

FOIA Charges: Copies / Labor / Mailing [per MUpston, 2009/01/29]

FOIA Contact: possibly Madilyn Upston – Admin. Sec'y to the Sup't <MUpston@Tekonsha.K12.MI.US> (517) 767-4121, ext 300

Public Comment: "Teacher/Citizens Time" after business, before administrative reports. [per latest mtg agenda, 2009/01/29]

Union City Community Schools

< dbllchk <http://www.UnionCitySchools.org/> >

FOIA Policy: UCCS "Public Records" policy #8310 (1 page, PDF, revised 2006/04/17) forwarded by administrative assistant Kelly AcMoody 2009/02/05 – along with UCCS administrative guideline (AG) #8310A specifically on FOIA procedure (2 pages, PDF, undated).

#8310 is on line in HTML format, at <http://www.neola.com/UnionCity-MI/search/policies/po8310.htm>; #8310A not found on line.

FOIA Charges: "Upon written request, copies of said records shall be provided for a fee which will be

Copies: no more than the actual cost for the duplication plus

Labor: any applicable clerical costs which will be charged at an hourly rate equal to the lowest paid fulltime staff member

Mailing: capable of retrieving the information being sought by the requester."

FOIA Contact: Patrick Kreger – Superintendent (& FOIA Co-ordinator) <PKreger@UnionCitySchools.org> (517) 741-3300

Public Comment: UCCS by-laws section 0160 on "Meetings" (revised 2004/05/17), including 0167.3 on "Public Participation at Board Meetings", is on line at <http://www.neola.com/UnionCity-MI/search/policies/po0160.htm> (0167.3 on pages 6-8 of 12). Highlights:

Speaker must give name, address; if representative of group, must say if her/his comments are the group's official position.

30 minutes total, 5 minutes/person (presiding officer can extend total time at her/his discretion or Board can suspend rules).

Anyone may offer an item for the agenda; must offer at least 7 days before meeting, get OK from Supt. & Board President.

2 opportunities for "Comments from the Audience": before action items and after discussion items.

The next three listings are for charter schools (public school academies), which are publicly funded and thus are subject to FOIA.

Arbor Academy/Battle Creek [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly via general e-mail for Arbor Academy/Battle Creek <information@Arbor-Academy.org> (269) 963-5851

Public Comment:

Endeavor Charter Academy

FOIA Policy: "In response to your recent request related to the Freedom of Information Act and MCL 15.234, we follow procedures and guidelines as outlined in this legislation." [per AAnderson, 2009/01/28]

FOIA Charges:

Copies:

Labor:

Mailing:

FOIA Contact: possibly **Amy Anderson** – Board Relations Co-ordinator/National Heritage Academies (sponsor)
<AAnderson@HeritageAcademies.com> (877) 223-6402, extension 2836 to NHA; (269) 962-9300 to Endeavor

Public Comment: No specific rules adopted, but the time period for comments is typically at the end of a meeting (as shown on the agenda). Citizens are expected to address the board in a respectful manner. [per AAnderson, 2009/01/28]

Marshall Academy

FOIA Policy: "I have sent a note to our board liaison to ask about the policies that you mentioned." [per BSwan, 2009/02/04]

FOIA Charges:

Copies:

Labor:

Mailing:

FOIA Contact: possibly **Brent Swan** – Headmaster/Marshall Academy <BSwan@MarshallAcademy.org> (269) 781-6330

Public Comment: "I have sent a note to our board liaison to ask about the policies that you mentioned." [per BSwan, 2009/02/04]

The next three listings are for religious schools, not publicly funded and thus not subject to FOIA; jalp asked if they had similar policies.

Battle Creek Area Catholic Schools [no response yet to request for policies]

Records Policy:

Charges for Records: Copies / Labor / Mailing

Records Contact: **Father John Fleckenstein** – Pastor Administrator/BCACS <FatherJohn@BCACS.org> (269) 963-1131

Public Comment:

Battle Creek Christian School [no response yet to request for policies]

Records Policy:

Charges for Records: Copies / Labor / Mailing

Records Contact: Battle Creek Christian Schools <info@BCChristian.org> (269) 963-0649 or (269) 963-7936

Public Comment:

Calhoun Christian School

Records Policy: [no response yet to request for records policy]

Charges for Records: Copies / Labor / Mailing

Records Contact: **Rick Weesner** – President/Board of Directors <RWeesner@CalhounChristian.org> (269) 965-5560

Public Comment: Ask board president in writing (e-mail OK) 1 week in advance, for approval to address board; outline purpose/content of remarks. Addresses usually scheduled near start of meeting; generally, there is a 5-minute time limit. [per RWeesner, 2009/01/24]

Library Boards

Albion District Library [no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Kathleen Seidl** – Administrative Assistant <KSeidl@AlbionLibrary.org> (517) 629-3993

Public Comment:

Athens Community Library < **no request made yet** . . . because no electronic contact information is known >

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Diane K. Garlets** – Director [no electronic contact information known] (269) 729-4479

Public Comment:

Burlington Township Library

[no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Rosemary Mottinger** – Director <BurlingtonLibrary@CharterInternet.com>

(517) 765-2702

Public Comment:

Homer Public Library

[no response yet to request for policies]

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Sandi Van Wert** – Director/Homer Public Library <HPL@cablespeed.com>

(517) 568-3450

Public Comment: No specific time allotted to public comments on latest meeting agenda [2009/03/23].

Marshall District Library

FOIA Policy: “FOIA requests are promptly responded to in writing and/or electronically. Any costs to the requestor are spelled out

FOIA Charges: in the initial response and payment of those costs must be received prior to the delivery of the requested information.

Copies: Response to any FOIA request that takes less than 15 minutes to complete is considered free of cost to the requestor. Re-

Labor: sponses requiring more than 15 minutes of staff time to process, printing, photocopying, and/or mailing charges, are billed at

Mailing: the actual rate of cost. Employee pay rates are used to calculate the cost of [staff time. . . .] [per LSt.Laurent, 2009/01/26]

FOIA Contact: **Laurie St. Laurent** – Director (& FOIA Co-ordinator) <StLaurentL@MarshallDistrictLibrary.org> (269) 781-7821 ext 11

Public Comment: “Comments from the Public” near end of agenda, just before adjournment. [per latest mtg agenda, 2009/03/10]

Tekonsha Township Public Library

< **no request made yet** . . . because no electronic contact information is known >

FOIA Policy:

FOIA Charges: Copies / Labor / Mailing

FOIA Contact: possibly **Leslie B. Waltz** – Director [no electronic contact information known]

(517) 767-4769

Public Comment:

Willard Public Library

7 pages of PDF scans from policy manual (revised January 2006) e-mailed by Amanda Paffhausen 2009/01/27.

FOIA Policy: Policies are posted on line at library’s Website, but the information does not appear to be accessible to the public.

FOIA Charges: “. . . the expense shall not exceed the actual cost of making copies, mailing the response, and the actual costs

Copies: of an employee’s time in examining, reviewing, and duplicating the public records requested. The fee to be charged

Labor: shall be based on the lowest paid employee’s salary who is capable of retrieving the information necessary to

Mailing: comply with the request.”

FOIA Contact: **Rick Hulsey** – Library Director (& FOIA Co-ordinator) <RHulsey@Willard.Lib.MI.US>

(269) 968-8166

Public Comment: Item II (of VIII) on the basic order of business for regular meetings. President sets guidelines at each meeting to:
1) give attendees equal chance to be heard; 2) maximize value of information provided; 3) avoid/reduce repetition or redundancy.

FOIA-Related Links

Michigan FOIA (& bills affecting it) <http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=mcl-Act-442-of-1976>

This Webpage has links to individual sections of the statute – but the features toward the top of the page may be of use to you, too.

You can get full “renderings” of the text (including the latest updates done) in HTML or PDF file format . . . and you can link to the rest of the Michigan Legislature’s Website for information on bills proposed that would change the Freedom of Information Act.

Attorney General’s list of key FOIA cases (up to 1998)

http://www.Michigan.gov/AG/0,1607,7-164-17337_18160-51245--,00.html

Attorney General’s opinions related to FOIA (up to 1998)

http://www.Michigan.gov/AG/0,1607,7-164-17337_18160-51244--,00.html

Unfortunately, these have not been updated recently

Michigan Freedom of Information Committee

<http://www.MFOIA.org> [but note: Website suspended as of 2009/03/20]

This group has collected information from more recent court opinions on Michigan’s FOIA statute. Unfortunately, the site is suspended.

The site formerly had Webpages with information on cases from 1997-1999, 2000-2002, 2003-2005, and 2006. **jalp** has contacted both this committee and its national umbrella committee for an update of the state group’s status, and gotten permission to post this material [on this Website](#).

If you have more ideas or suggestions – or if you see something here that needs to be corrected – *please contact* **John Anthony La Pietra** via:

e-mail: <jalp@triton.net>

phone: (269) 781-9478

mail: 386 Boyer Court / Marshall, MI 49068

last updated: 11:30am October 28, 2009

back to [jalp’s home page](#)