

## Policy 1.4

<b>POLICY TITLE:</b>	<b>FREEDOM OF INFORMATION ACT (FOIA)</b>	<b>POLICY #1.4</b>	
<b>Topic Area:</b>	<b>GENERAL MANAGEMENT</b>		<b>REVIEW DATES</b>
<b>Applies to:</b>	LRE, CMHSPs, and the Provider Network	<b>ISSUED BY:</b> Chief Executive Officer	4/19/19      3/3/20
<b>Developed and Maintained by:</b>	LRE Chief Executive Officer	<b>APPROVED BY:</b> Board of Directors	12/16/21
<b>Supersedes:</b>	N/A	<b>Effective Date:</b> March 17, 2016	<b>Revised Date:</b> 12/16/21

### I. PURPOSE

It shall be the policy of the LRE 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 LRE's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner. The people shall be informed so that they may fully participate in the democratic process.

### II. POLICY

- A. The Lakeshore Regional Entity's (LRE) policy with respect to FOIA request is to comply with state law in all respects, and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.
- B. LRE acknowledges its legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. LRE acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure effective operation of government and to protect the privacy of individuals.
- C. LRE will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records.
- D. LRE has established written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to LRE, explaining how to understand LRE's written responses, deposit requirements, fee calculations, and an avenue for challenges and appeals. The public summary will be written in a manner so as to be easily understood by the general public.
- E. The LRE will have a designated FOIA Coordinator. This person is authorized to designate other LRE staff to act on his/her behalf to accept and process written requests for the LRE's public records and approve denials.

### III. APPLICABILITY AND RESPONSIBILITY

This policy applies to all LRE staff and operations, CMHSPs, and the Provider Network.

#### IV. MONITORING AND REVIEW

This policy will be monitored and reviewed by the LRE FOIA Coordinator and LRE Executive Team on an annual basis.

#### V. DEFINITIONS

**CMHSP:** Community Mental Health Service Program

**FOIA:** Freedom of Information Act

**LRE:** Lakeshore Regional Entity

**Public Record:** A record required by law to be made and kept

**Requestor:** Person requesting documentation from the LRE via the Freedom of Information Act

#### VI. RELATED POLICIES AND PROCEDURES

A. FOIA Procedure

B. Document Forms:

1. Request for Public Records Form
2. Notice to Extend Response Time Form
3. Notice to Denial Form
4. Detailed Cost Itemization Form
5. Appeal of Denial Form
6. Appeal of Excess Fee Form

#### VII. REFERENCES/LEGAL AUTHORITY

A. Freedom of Information Act: Act 442 of 1976

#### VIII. CHANGE LOG

Date of Change	Description of Change	Responsible Party
3/17/2016	Annual Review	Chief Executive Officer
4/19/2019	Annual Review	Chief Executive Officer
3/3/2020	Annual Review	Chief Executive Officer
12/16/21	Separated Policy and Procedure	Chief Executive Officer