

# Thrive Upstate

## FREEDOM OF INFORMATION ACT REQUEST FOR PUBLIC RECORDS

### PURPOSE

The purpose of this policy is to establish procedures for handling requests for information under the FREEDOM OF INFORMATION ACT (FOIA). This policy is cross-referenced with DDSN Policy Directive 133-02.

### PROCESS

The following is the process for requests under FOIA:

1. All requests should be made through the Executive Director's office. In accordance with the FOIA, a request can be made in writing with the specific information being requested.
2. All requests will be dated when received to assure compliance with the fifteen (15) day time limit on responding to such requests.
3. Failure to respond within fifteen (15) working days is an automatic "yes" to the request unless otherwise protected by specific statutory exclusions. A letter sent before the end of the 15-day response period may be necessary to clarify a vague request, to advise of fees, or confirm an agreement to extend the 15-day response period in order to search records and determine a record's availability under the ACT. The letter will:
  - a. acknowledge receipt of the request.
  - b. confirm understanding of what records or documents are being requested.
  - c. provide information about fees.
  - d. give time for document production and the date, time and place where the records will be made available for inspection.
4. "In Person" requests can be made by anyone in person to look at, and review copies of the Board's last 6 months of meeting minutes. These minutes are available for public review at the Patrick Center Administrative Offices located at 1700 Ridge Road during the operating hours of 8:30 am – 5:00 pm, Monday -Friday, excluding holidays.
5. The Executive Director will work with appropriate staff to compile the necessary information according to the request.
6. The Executive Director and appropriate staff will review the completed response.

7. The Executive Director may request reviews by other staff members and/or legal advisors prior to considering the response complete.
8. After all reviews are completed, the response will be mailed to the person making the request.
9. The Executive Director will maintain an up-to-date file of all FOIA requests and responses.

## **FEES**

Fees may be charged but shall not exceed the actual cost of searching for and making copies of records. The fees must be uniform, may not exceed the actual cost to the Agency and should be at the lowest possible cost. Fees may not be charged for examination and review to determine if the documents sought are subject to disclosure.

A reasonable deposit may be required. The Executive Director, in consultation with the Director of Finance, will review the cost structure at least every three years, or more often if necessary.

The 2016 established fee for these requests has been set at the following:

- 65 cents per copy for the first 30 copies
- 50 cents for each copy over 30 copies
- A 50% deposit will be required in advance of the release of the estimated costs of the request.

## **WAIVER OF FEES**

Costs may be waived if it is determined that waiver or reduction of costs is in the public's interest because the information is considered as primarily benefiting the general public, or when the request is small and does not warrant the time and expense for accounting for the income. The Executive Director will determine if costs will be waived or reduced.

**Date of Issue:** November 10, 1994  
**Date of Last Review/Revision:** October 14, 2016

## **APPROVED BY THE BOARD OF DIRECTORS**

By: \_\_\_\_\_

  
**Bob Ariail, Chairperson**

Date: \_\_\_\_\_

