

Policy for Freedom of Information Act (FOIA) Requests

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1. Purpose

This policy establishes a standardized and legally compliant process for receiving, reviewing, and responding to Freedom of Information Act (FOIA) requests in accordance with the federal FOIA, 5 U.S.C. § 552 and the Michigan FOIA, Public Act 442 of 1976, MCL 15.231 et seq.

Resources and compliance requirements are below.

- [FOIA.gov - Freedom of Information Act: Freedom of Information Act Statute](#)
- [MCL - Act 442 of 1976 - Michigan Legislature](#)
- [Attorney General: Freedom of Information Act \(FOIA\)](#)

If you have any questions about this policy and the processes for FOIA, please reach out to the health department at (269) 621-3143.

2. Scope

This policy applies to all employees of the Van Buren/Cass District Health Department (VBCDHD) who are involved in the processing of FOIA requests.

3. Definitions

FOIA Request: A written request for access to public records.

Requester: The individual or entity submitting a FOIA request.

FOIA Coordinator: The designated staff member responsible for managing the FOIA process.

Processor: Staff responsible for locating, reviewing, and preparing records for response.

4. Policy Guidelines

4.1. Submission, Receipt, and Acknowledgment

For Environmental Health (well and septic) records, email EH-FOIA@vbcassdhd.org, fax to 269-621-2725, or mail to 260 South Street, Lawrence MI 49064. For all other records, email ljaramillo@vbcassdhd.org, fax to 269-621-2725, or mail to 260 South Street, Lawrence MI 49064.

A requester will fill out the request form with their contact information. All FOIA requests will be acknowledged within five (5) business days of receipt. However, if a written request is sent by electronic mail and delivered to the public body's spam or junk-mail folder, the request is not received until 1 day after the public body first becomes aware of the written request. A

standard acknowledgment message will be sent, outlining the review process, potential fees, and the requester's rights.

4.2. Clarification and Verification

If a request is unclear or overly broad, the requester will be contacted for clarification. Processing will resume upon receipt of the necessary clarification.

4.3. Record Search

A thorough search for responsive records must be conducted within five (5) business days. If additional time is needed, a one-time extension of up to ten (10) business days may be issued.

4.4. Review and Redaction

Records will be reviewed for responsiveness and applicable exemptions. Exempt information will be redacted in accordance with FOIA laws, ensuring maximum disclosure of non-exempt content.

4.5. Response and Fees

A formal response will be prepared, including the requested records and a breakdown of any applicable fees. The Van Buren/Cass District Health Department may require that all fees associated with a Freedom of Information Act (FOIA) request be paid in full prior to the actual delivery of the requested copies. This ensures that the Department can recover costs incurred in the processing and fulfillment of FOIA requests.

Fees may include:

- Copy charges: \$0.10 per page (includes paper, toner, and machine use); double-sided copies count as one page.
- Clerk time: \$4.50 per 15 minutes (minimum charge of \$4.50).
- Electronic copies: Same fees apply as paper copies.
- Other media (DVDs, flash drives, etc.): Actual cost of the device, which must be provided by VBCDHD.

4.6. Final Response

Records will be delivered via the requester's preferred method. A summary of the records provided will accompany the response.

4.7. Appeals

If a request is denied, the requester will be informed of the reason(s) and their right to appeal. Appeals must be submitted in writing and include the original request and denial letter.

4.8. Environmental Health Requests

FOIA requests for well and septic records are handled directly by the Environmental Health division. Requests may be submitted via email, phone, or in person. Records are typically delivered promptly with minimal formality.

5. Recordkeeping

All FOIA requests, responses, and related correspondence must be logged and retained for at least one year. Records will be destroyed in accordance with [General Retention Schedule #7 – Local Health Departments, section 7.018.](#)

6. Training

All relevant staff will receive periodic training on FOIA procedures and legal requirements to ensure compliance and consistency.

7. Request Form



Van Buren/Cass District
Health Department

PUBLIC HEALTH ADMINISTRATION

www.vbcassdhd.org 269.621.3143

Freedom of Information Act (FOIA) Request Form

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Requestor Information:

Name _____ Date _____
Business/organization _____ Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____ Email _____

Delivery Method:

☐ Email (may be sent encrypted) ☐ Mail to the address above ☐ Email to address above ☐ Will pick up

Record(s) Request:

Describe the record(s) requested as specifically as possible.

For Environmental Health (well and septic) records:
email eh-FOIA@vbcassdhd.org, fax to 269-621-2725, or
mail to 260 South Street, Lawrence MI 49064.

For any other records:
email ljaramillo@vbcassdhd.org, fax to 269-621-2725, or
mail to 260 South Street, Lawrence MI 49064.

Health Department Use Only:

Date Received _____ Date processed _____ Processor _____
of pages _____ Billed amount _____ Date billed _____



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