

**SOUTH HURON VALLEY UTILITY AUTHORITY (SHVUA)
WRITTEN PUBLIC SUMMARY OF FOIA PROCEDURES AND GUIDELINES**

Consistent with Public Act 563 of 2014 amending the Michigan Freedom of Information Act (FOIA), the following is the Written Public Summary of the South Huron Valley Utility Authority's ("SHVUA") FOIA Procedures and Guidelines relevant to the general public.

1. How do I submit a FOIA request to SHVUA?

- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by SHVUA must be submitted in writing.
- A request must sufficiently describe a public record so as to enable SHVUA to find it.
- No specific form to submit a written request is required.
- Written requests can be made in person by delivery to the FOIA Coordinator at 34001 W. Jefferson Ave., Brownstown Twp., MI 48173. The FOIA Coordinator is the System Manager.

Note: Individuals serving a sentence of imprisonment in a state or county correctional facility in this state or any other state, or in a federal correctional facility are not entitled to submit a request for a public record.

2. What kind of response can I expect to my request?

- Within 5 business days of receipt of a FOIA request SHVUA will issue a response. SHVUA will respond to your request in one of the following ways:
 - Grant the request.
 - Issue a written notice denying the request.
 - Grant the request in part and issue a written notice denying in part the request.
 - Issue a notice indicating that due to the nature of the request SHVUA needs an additional 10 business days to respond.
 - Issue a written notice indicating that the public record requested is available at no charge on SHVUA's website.
- If the request is granted, or granted in part, SHVUA will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available. If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, SHVUA will require a deposit before processing the request.

3. What are SHVUA's fee deposit requirements?

- If SHVUA has made a good faith calculation that the total fee for processing the request exceeds \$50.00, SHVUA will require that you provide a deposit in the amount of 50% of the total estimated fee. When SHVUA requests the deposit it will provide you a non-binding best efforts estimate of how long it will take to process the request following receipt by SHVUA of your deposit.
- If SHVUA receives a request from a person who has not paid SHVUA for copies of public records made in fulfillment of a previously granted written request, SHVUA will require a deposit of 100% of the estimated processing fee before it begins to search for the public record for any subsequent written request when all of the following conditions exist:
 - the final fee for the prior written request is not more than 105% of the estimated fee;
 - the public records made available contained the information sought in the prior written request and remain in SHVUA's possession;
 - the public records were made available to the individual, subject to payment, within the time frame estimated by SHVUA to provide the records;
 - 90 days have passed since SHVUA notified the individual in writing that the public records were available for pickup or mailing;
 - the individual is unable to show proof of prior payment to SHVUA; and
 - SHVUA has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.
- SHVUA will not require the 100% estimated fee deposit if any of the following apply:
 - the person making the request is able to show proof of prior payment in full to SHVUA;
 - SHVUA is subsequently paid in full for all applicable prior written requests; or
 - 365 days have passed since the person made the request for which full payment was not remitted to SHVUA.

4. How does SHVUA calculate FOIA processing fees?

- The Michigan FOIA statute permits SHVUA to assess and collect a fee for six designated processing components. SHVUA may charge for the following costs associated with processing a request:
 - Labor costs associated with searching for, locating and examining a requested public record.

- Labor costs associated with a review of a record to separate and delete information exempt from disclosure of information which is disclosed.
 - The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media.
 - The cost of duplication or publication, not including labor, of paper copies of public records.
 - Labor costs associated with duplication or publication, which includes making paper copies, making digital copies, or transferring digital public records to nonpaper physical media or through the Internet.
 - The cost to mail or send a public record to a requestor.
- Labor Costs
 - SHVUA does not have any Employees. All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
 - Labor costs will be charged at the hourly wage of the lowest-paid consultant capable of doing the work in the specific fee category, regardless of who actually performs work.
 - Contracted labor costs used for the separating and deleting of exempt information from nonexempt information in the same manner as labor costs when calculating charges if it clearly notes the name of the contracted person or firm on a detailed itemization. Total labor costs calculated under this subdivision for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate determined under section 4 of the workforce opportunity wage act, 2014 PA 138, MCL 408.411 to 408.424.
- Non-paper Physical Media
 - The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
 - This cost will only be assessed if SHVUA has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- Paper Copies
 - Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets will paper will reflect the actual cost of reproduction.
 - SHVUA may provide records using double-sided printing, if cost-saving and available.

- Mailing Costs
 - The cost to mail public records will use a reasonably economical and justified means.
 - SHVUA may charge for the least expensive form of postal delivery confirmation.
 - No cost will be made for expedited shipping or insurance unless requested.
- A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to SHVUA because of the nature of the request in the particular instance, and SHVUA specifically identifies the nature of the unreasonably high costs.

5. How do I qualify for a reduction of the processing fees?

- SHVUA may waive or reduce the fee associated with a request when it determines that to do so is in the public interest because release of the information is considered as primarily benefitting the general public.
- SHVUA will waive the first \$20.00 of the processing fee for a request if you submit an affidavit stating that you are:
 - indigent and receiving specific public assistance; or
 - if not receiving public assistance, stating facts demonstrating an inability to pay because of indigency.
- You are not eligible to receive the \$20.00 waiver if you:
 - have previously received discounted copies of public records from SHVUA twice during the calendar year; or
 - are requesting information on behalf of other persons who are offering or providing payment to you to make the request.
- SHVUA will waive the fee for an nonprofit organization which meets all of the following conditions:
 - the organization is designated by the State under federal law to carry out activities under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act;
 - the request is made directly on behalf of the organization or its clients;
 - the request is made for a reason wholly consistent with the provisions of federal law under Section 931 of the Mental Health Code; and
 - the request is accompanied by documentation of the organization's designation by the State.

6. How may I challenge the denial of a public record or an excessive fee?

- Appeal of a Denial of a Public Record

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may file an appeal of the denial with the governing Board of SHVUA. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons you are seeking a reversal of the denial.

Within 10 business days of receiving* the appeal the governing Board of SHVUA will respond in writing by:

- reversing the disclosure denial;
- upholding the disclosure denial; or
- reverse the disclosure denial in part and uphold the disclosure denial in part; or
- under unusual circumstances, issue a notice extending for not more than ten (10) business days the period during which SHVUA will respond to the written appeal.

Whether or not you submitted an appeal of a denial to the governing Board of SHVUA, you may file a civil action in Wayne County Circuit Court within 180 days after SHVUA's final determination to deny your request.

- Appeal of an Excessive FOIA Processing Fee

If you believe that the fee charged by SHVUA to process your FOIA request exceeds the amount permitted by state law, you must first submit a written appeal for a fee reduction to the governing Board of SHVUA. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

Within 10 business days after receiving* the appeal, the governing Board of SHVUA will respond in writing by:

- waiving the fee;
- reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the governing Board of SHVUA will respond to the written appeal.

* SHVUA is not considered to have received a written appeal of either a denial or a fee amount until its first regularly scheduled meeting following the submission of the appeal.

Within 45 days after receiving notice of the governing Board of SHVUA's determination of the processing fee appeal, you may commence a civil action in Wayne County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or an appropriate amount of reasonable attorneys' fees, costs and disbursements.

Need more details or information?

This is only a summary of SHVUA's FOIA Procedures and Guidelines. For more details and information, copies of SHVUA's FOIA Procedures and Guidelines are available at no charge at 34001 W. Jefferson Ave., Brownstown Twp., MI 48173.

**SOUTH HURON VALLEY UTILITY AUTHORITY (“SHVUA”)
FREEDOM OF INFORMATION ACT PROCEDURES & GUIDELINES**

Preamble: Statement of Principles

It is the policy of SHVUA that all persons, *except those who are serving a sentence of imprisonment*, 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 people shall be informed so that they fully participate in the democratic process.

SHVUA’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 regardless of who makes such a request.

SHVUA acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. SHVUA acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

SHVUA will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. SHVUA’s policy is to disclose public records consistent with and in compliance with State law.

Section 1: General Policies

SHVUA, acting pursuant to the authority at MCL 15.236 designates the System Manager as the FOIA Coordinator.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

SHVUA is not obligated to create a new public record or make a compilation or summary of information which does not already exist. The FOIA Coordinator is not obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by SHVUA on file for a period of at least one year.

Section 2: Requesting a Public Record

A person requesting to inspect or obtain copies of public records prepared, owned, used, possessed or retained by SHVUA must do so in writing. The request must sufficiently describe a public record so as to enable SHVUA to identify and find the requested public record.

No specific form to submit a request for a public record is required. However the FOIA Coordinator may make available a FOIA Request Form for use by the public.

Written requests for public records shall be submitted in person or by mail to 34001 W. Jefferson Ave., Brownstown Twp., MI 48173.

A person may request that public records be provided on non-paper physical media, electronically mailed or otherwise provided to him or her in lieu of paper copies. SHVUA will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by SHVUA on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, within 5 business days of receipt of a FOIA request SHVUA will issue a response. SHVUA will respond to the request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request SHVUA needs an additional 10 business days to respond. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on SHVUA's website if such a website exists.

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the allowable costs, as printed in Section 5, incurred to process the request to the person making the request. A copy of these Procedures and Guidelines shall be provided to the requestor with the response to a written request for public records, provided however, that if these Procedures and Guidelines, and its Written Public Summary are maintained on a website, then a website link to those documents may be provided in lieu of providing paper copies.

If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If based on a good faith calculation by SHVUA, the cost of processing a FOIA request is expected to exceed \$50, or if the requestor has not fully paid for a previously granted request, SHVUA will require a good-faith deposit before processing the request. In making the request

for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by SHVUA to process the request and also provide a best efforts estimate of a timeframe it will take SHVUA to provide the records to the requestor. The best efforts estimate shall be nonbinding on SHVUA, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by SHVUA; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the governing Board of SHVUA or seek judicial review in the Wayne County Circuit Court; and
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well as actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

SHVUA shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect SHVUA records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal operations.

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation by SHVUA, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not fully paid SHVUA for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator

will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- the final fee for the prior written request is not more than 105% of the estimated fee;
- the public records made available contained the information sought in the prior written request and remain in SHVUA's possession;
- the public records were made available to the individual, subject to payment, within the timeframe estimated by SHVUA to provide the records;
- 90 days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- the individual is unable to show proof of prior payment to SHVUA; and
- the FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- the person making the request is able to show proof of prior payment in full to SHVUA;
- SHVUA is subsequently paid in full for the applicable prior written request; or
- 365 days have passed since the person made the request for which full payment was not remitted to SHVUA.

Section 5: Calculation of Fees

A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to SHVUA because of the nature of the request in the particular instance, and SHVUA specifically identifies the nature of the unreasonably high costs.

The following factors shall be used to determine an unreasonably high cost to SHVUA:

- The particular request incurs costs greater than incurred from the typical or usual request received by SHVUA. See *Bloch v Davison Community Schools*, 2011 Mich App Lexis 771, 2011 WL 1564645
- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether public records from more than one location are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

SHVUA may charge for the following costs associated with processing a FOIA request:

- Costs directly associated with searching for, locating and examining a requested public record.
- SHVUA does not have employees. Costs include those expenses associated with a review of a record to separate and delete information exempt from disclosure of information which is disclosed.
- The actual cost of computer discs, computer tapes or other digital or similar media.
- The cost of duplication of publication, not including labor, of paper copies of public records.
- The cost of labor associated with duplication or publication, including making paper copies, making digital copies or transferring digital public records to non-paper physical media or through the Internet or other electronic means.
- The actual cost of mailing or sending a public record.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
- Labor costs will be charged at the hourly wage of the lowest-paid SHVUA consultant capable of doing the work in the specific fee category, regardless of who actually performs work.
- Contracted labor costs used for the separating and deleting of exempt information from nonexempt information in the same manner as labor costs when calculating charges if it clearly notes the name of the contracted person or firm on a detailed itemization. Total labor costs calculated under this subdivision for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate determined under section 4 of the workforce opportunity wage act, 2014 PA 138, MCL 408.411 to 408.424.

The cost to provide records on non-paper physical media when so requested and if able will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if SHVUA has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- In order to ensure the integrity and security of SHVUA's technological infrastructure, SHVUA will procure any requested non-paper media and will not accept non-paper media from the requestor.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for nonstandard sized sheets of paper will reflect the actual cost of reproduction.
- SHVUA may provide records using double-sided printing, if cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- SHVUA may charge for the least expensive form of postal delivery confirmation.
- No cost will be incurred for expedited shipping or insurance unless requested.

If the FOIA Coordinator does not respond to a written request in a timely manner, the following shall be required:

- Reduce the labor costs by 5% for each day SHVUA exceeds the time permitted under FOIA up to a 50% maximum reduction, if any of the following applies:
 - The late response was willful and intentional.
 - The written request, within the first 250 words of the body of a letter facsimile, e-mail or e-mail attachment conveyed a request for information
 - The written request included the words, characters, or abbreviations for “freedom of information”, “information”, “FOIA”, “copy” or a recognizable misspelling of such, or legal code reference to MCL 15. 231 et seq or 1976 Public Act 442 on the front of an envelope or in the subject line of an e-mail, letter or facsimile cover page.

Section 6: Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because such can be considered as primarily benefitting the general public.

The FOIA Coordinator will waive the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- (A) indigent and receiving specific public assistance; or
- (B) if not receiving public assistance stating facts demonstrating an inability to pay because of indigency.

An individual is not eligible to receive the waiver if:

- the requestor has previously received discounted copies of public records from SHVUA twice during the calendar year; or
- the requestor requests information in connection with other persons who are offering or providing payment to make the request. A statement by the requestor in an affidavit may be required that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

An affidavit is a sworn statement.

(C) A nonprofit organization designated to by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 200 and the Protection and Advocacy for Individuals with Mental Illness Act, or their successors, if the request meets all of the following requirements:

- is made directly on behalf of the organization or its clients;
- is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, MCL 330.1931;
- is accompanied by documentation of its designation by the State.

Section 7: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may file an appeal of the denial with the governing Board of SHVUA. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial.

Within 10 business days of receiving* the appeal the governing Board of SHVUA will respond in writing by:

- reversing the disclosure denial;
- upholding the disclosure denial; or
- reverse the disclosure denial in part and uphold the disclosure denial in part.
- Under unusual circumstances, including, but not necessarily limited to, a situation which requires the examination or review of a voluminous amount of separate and distinct public records or the need to collect the requested records from numerous facilities located apart from the office receiving or processing the request, the governing Board of SHVUA may issue not more than 1 notice of extension for not more than 10 business days to respond to the appeal.

* SHVUA is not considered to have received a written appeal of either a denial or a fee amount until its first regularly scheduled meeting following the submission of the appeal. It then has 10 business days to respond to the appeal.

Whether or not a requestor submitted an appeal of a denial to the governing Board of SHVUA, he or she may file a civil action in Wayne County Circuit Court within 180 days after SHVUA's final determination to deny the request.

If the court determines that the public record is not exempt from disclosure, the court will award the appellant reasonable attorneys' fees, cost and disbursements. If the court determines that the appellant prevails only in part, the court in its discretion may award all or an appropriate portion of reasonable attorneys' fees, costs and disbursements.

If the court determines that SHVUA arbitrarily and capriciously violated the FOIA by refusing or delaying the disclosure of copies of a public record, it shall award the appellant punitive damages in the amount of \$1,000.

Section 8: Appeal of an Excessive FOIA Processing Fee

If a requestor believes that the fee charged by SHVUA to process a FOIA request exceeds the amount permitted by state law, he or she must first submit a written appeal for a fee reduction to the governing Board of SHVUA. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

Within 10 business days after receiving* the appeal, the governing Board of SHVUA will respond in writing and:

- waive the fee;
- reduce the fee and issue a written determination indicating the specific basis that supports the remaining fee, accompanied by a certification by an officer of the governing Board of SHVUA that the statements in the determination are accurate and the reduced fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA;
- uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee, accompanied by a certification by an officer of the governing Board of SHVUA that the statements in the determination are accurate and the fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA; or
- issue a notice extending for not more than ten (10) business days the period during which the governing Board of SHVUA must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary.

Within 45 days after receiving notice of the governing Board of SHVUA's determination of a fee appeal, a requestor may commence a civil action in Wayne County Circuit Court for a fee reduction. If a civil action is filed appealing the fee, SHVUA is not obligated to process the request for the public record until the Court resolves the fee dispute.

* SHVUA is not considered to have received a written appeal of either a denial or a fee amount until its first regularly scheduled meeting following the submission of the appeal. It then has 10 business days to respond to the appeal.

If the court determines that SHVUA required a fee that exceeds the amount permitted, it shall reduce the fee to a permissible amount. If the appellant in the civil action prevails by receiving a reduction of 50% or more of the total fee, the court may award all or an appropriate amount of reasonable attorneys' fees, costs and disbursements.

If the court determines that SHVUA has acted arbitrarily and capriciously by charging an excessive fee, the court shall also award the appellant punitive damages in the amount of \$500.

Section 9: Conflict with FOIA; Effective Date

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law and approved by the governing board of SHVUA.

These FOIA Policies and Guidelines become effective July 1, 2015.