October 28, 2013

Mr. Paul Joseph Harcz, Jr.

E-mail: joeharcz@comcast.net

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

Re: FOIA Response to Request for Information on Minutes/Transcripts, State Plan and BSBP Staff Directory

Dear Mr. Harcz, Jr.:

This email is in response to your October 21, 2013, email requests for information, received by this office on October 22, 2013. Please be advised that the Bureau of Services for Blind Persons is processing these requests under the state’s Freedom of Information Act (FOIA), MCL 15.231 *et seq*.

You have requested information as described in your emails (which are also below) as:

“You said at Saturday’s NFB MI meeting that BSBP routinely posts information related to commissioners meetings including minutes/transcripts and State Plan information which I’ve requested…..

Moreover even the office and staff directory has not been updated (see it and the link after my signature line for your convenience). In fact it doesn’t even include you. Now can you send me this stuff in accessible format without another ludicrous and illegal abuse of the FOIA?”

(Description from email of 10-24-13 at 3:24PM): “Your name is listed but there are still many changes in the staff directory here which doesn’t include those who have left the or new additions…..”

In regards to your request for minutes/transcripts, you previously requested this information on August 9, 2014, and of which you received a response on August 29, 2013, granting the information and requesting payment for these records.

FOIA Response – P.J. Harcz, Jr.

October 28, 2013

Page 2 of 2

To date, we have not received your payment for this request. We are currently in the process of updating our website to include this information.

In regards to your request for the State Plan for FY14, this document has been approved by the Rehabilitation Services Administration and has been posted to our website (www.michigan.gov/bsbp).

In regards to your request for an updated BSBP directory, in order to determine the extent of the research time, the size and number of records of nonexempt information within BSBP responsive to your request, a search must be undertaken. For this reason, it is necessary to extend the time for response, as permitted by Section 5(2)(d) of the FOIA, through November 12, 2013, for this portion of your request.

If it is determined that there is a cost involved in the processing of this request, you will be sent an email which will include an invoice outlining that cost (before or no later than November 12, 2013). This email may either request a deposit (if the cost is over $50.00) or request payment of the total cost if the amount is under $50.00.

Please note that nothing within the federal American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (RA), as amended, or the state’s FOIA (MCL 15.231 et seq.) requires a public body to process FOIA requests free of charge. Further, while the ADA and Section 504 of the RA may mandate that, upon request, material be produced in an accessible format without charge, neither the ADA or Section 504 of the RA preclude a public body from charging costs under the state’s FOIA. Thusly, please note that no labor fee charges have been, or will be, assessed to convert existing, nonexempt public records responsive to your requests into an accessible format to forward to you.

Sincerely,

Carla Miller Haynes, FOIA Coordinator

Bureau of Services for Blind Persons

Attachments: Two Email Requests for Information

cc: Edward F. Rodgers II, Sue Luzenski

 Mike Pemble, Katie Belknap

Elsie Duell

**From:** joe harcz Comcast [mailto:joeharcz@comcast.net]
**Sent:** Monday, October 21, 2013 3:11 PM
**To:** Rodgers, Edward (LARA)
**Cc:** Zimmer, Mike (LARA); BSBPcommissioners; nfbmi-talk@nfbnet.org; Elmer Cerano (E-mail); BRIAN SABOURIN; Christyne.Cavataio@ed.gov
**Subject:** information and access please basic directory and minutes

October 21 2013 to Rodgers on BSBP Info including Directory

Paul Joseph Harcz, Jr.

joeharcz@comcast.net

To Ed Rodgers, BSBP

And BSBP Commissioners

(via e-mail)

Dear Mr. Rodgers,

You said at Saturday’s NFB MI meeting that BSBP routinely posts information related to commissioners meetings including minutes/transcripts and State Plan information which I’ve requested. Simple fact that you and it does not do so and all one needs do is visit the web site which I do.

Moreover even the office and staff directory has not been updated (see it and the link after my signature line for your convenience). In fact it doesn’t even include you.

Now can you send me this stuff in accessible format without another ludicrous and illegal abuse of the FOIA? Or should I begin charging this federally funded entity for all the work and research I do like getting an accurate staff directory, minutes/transcripts and State Plan information  for crying out loud?

Sincerely,

Paul Joseph Harcz, Jr.

Cc: MPAS

Cc: NFB MI

Cc: RSA

-----Original Message-----

From: joe harcz Comcast [mailto:joeharcz@comcast.net]

Sent: Monday, October 21, 2013 3:24 PM

To: Rodgers, Edward (LARA)

Cc: nfbmi-talk@nfbnet.org

Subject: Fw: [nfbmi-talk] information and access please basic directory andminutes

Sorry slight amendmendment here. Your name is listed but there are still many changes in the staff directory here which doesn't include those who have left the agency or new additions like say Mike Pemble, or Robert Essenberg since October 1, 2012.

----- Original Message -----

From: "joe harcz Comcast" <joeharcz@comcast.net>

To: "Rodgers, Edward (LARA)" <rodgerse@michigan.gov>

Cc: <Christyne.Cavataio@ed.gov>; "Elmer Cerano (E-mail)" <ecerano@aol.com>; <nfbmi-talk@nfbnet.org>; "BRIAN SABOURIN" <BSABOUR@mpas.org>; <bsbpcommissioners@michigan.gov>; <zimmerm@michigan.gov>

Sent: Monday, October 21, 2013 3:11 PM

Subject: [nfbmi-talk] information and access please basic directory andminutes

October 21 2013 to Rodgers on BSBP Info including Directory

Paul Joseph Harcz, Jr.

joeharcz@comcast.net

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Sincerely,

Paul Joseph Harcz, Jr.

Cc: MPAS

Cc: NFB MI

Cc: RSA

Link:

[http://www.michigan.gov/lara/0,4601,7-154-61256\_28313\_33130-15006--,00.html](http://www.michigan.gov/lara/0%2C4601%2C7-154-61256_28313_33130-15006--%2C00.html)