October 29, 2014

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 the Business Assistance and Development Program (BADP)

Dear Mr. Harcz, Jr.:

This email is in response to your October 22, 2014, email request for information, received by this office on October 23, 2014. Please be advised that the Bureau of Services for Blind Persons (BSBP) is processing this request under the state’s Freedom of Information Act (FOIA), MCL 15.231 *et seq*.

You have requested information as described in your email (which is also below) as:

“Now I’m requesting in accessible format the above mentioned training modules and resource guide. They should be provided promptly to me as either Word or plain text attachments to my e-mail address listed above.” And “Regardless I wish to also request as a matter of accountability just how much BSBP has plowed in to BADP including all salaries, training, and expenses like on the Tim Hortons fiasco, capital equipment, rent, etc. Since its inception.”

Your request is granted as to existing, nonexempt documents pertaining to your request. We estimate that the time to process this request is 16 hours.

Section 4(1) of the FOIA, MCL 15.234(1), provides that a public body may charge a fee for public record search, including the mailing costs, the cost of duplication or publication including labor, the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information.

FOIA Response – P.J. Harcz, Jr.

Page 2 of 2

October 29, 2014

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.

In order to complete the processing of your request, and based on the hourly wages and benefits of the lowest paid Department employee capable of performing the necessary tasks to process your request, we are requesting a deposit of $267.84 in order to begin the processing of this request. An invoice is attached that outlines the costs.

Once payment is received for the deposit, we will begin the processing of your request. Once the process is complete, we will request payment for the additional amount of the actual cost of the request. When we receive this payment, we will send the information either to you via email or to you in the U.S. Mail on a USB flash drive (depending on the amount of material responsive to your request).

Sincerely,

Carla Miller Haynes, FOIA Coordinator

Bureau of Services for Blind Persons

Attachments - 2: Invoice & Email Request for Information

cc: Edward F. Rodgers II

Sue Luzenski

 Mike Pemble

Katie Belknap

 Rob Essenberg

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF SERVICES FOR BLIND PERSONS

FREEDOM OF INFORMATION ACT INVOICE

NAME AND ADDRESS OF REQUESTER:

Mr. Paul Joseph Harcz, Jr.

E-mail: joeharcz@comcast.net

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

REQUEST RECEIVED: October 23, 2014

TYPE OF REQUEST: Email

REQUEST PARTIALLY DENIED: No

EXEMPT INFORMATION WITHHELD/REDACTED: To be determined

EXTENDED RESPONSE NOTICE ISSUED: No

REQUESTED INFORMATION WILL BE: Emailed/Invoiced For Payment

ACCOUNT CODE: Index: 36200 PCA: 11343

DLARA CONTACT: Melvin Farmer, Central FOIA Coordinator

(517) 373-0194, Ottawa Building, 4th Floor, 611 W. Ottawa, Lansing, MI 48909

The FOIA provides that the department may charge a fee to comply with requests for public records. The processing fee is composed of hourly wages and benefit costs of the lowest paid employee(s) capable of processing the request; the duplication of records at assessed costs per page; mailing costs; and other related special costs. Prior to searching and copying requested records, the department may request full payment or 50% of the estimated costs exceeding $50.00 with the balance required before mailing the records. Assessed costs are related to your request for:

“Now I’m requesting in accessible format the above mentioned training modules and resource guide. They should be provided promptly to me as either Word or plain text attachments to my e-mail address listed above… & Regardless I wish to also request as a matter of accountability just how much BSBP has plowed in to BADP including all salaries, training, and expenses like on the Tim Hortons fiasco, capital equipment, rent, etc. Since its inception.”

INVOICE CALCULATIONS

LABOR

 Locating and Duplicating Cost:

Number of Hours: 15 hrs. x Hourly Rate: $33.48 = Amount: $502.20

 Examining and Extracting Cost:

Number of Hours: 1 hrs. x Hourly Rate: $33.47 = Amount: $33.48

TOTAL LABOR: $535.68

POSTAGE (estimate): To be determined based on the amount of information

DUPLICATING: Number of Pages (0) times Copying Rate of $0

OTHER (overtime, audio tapes, discs, photos, security, etc.): $0

SUBTOTAL: $535.68

Less waived indigency fee under FOIA Act MCL 15.234 Section 4(1)

INVOICE TOTAL: $535.68

DEPOSIT\* $267.84

BALANCE TO BE PAID\*: $267.84

Make check or money order payable to: STATE OF MICHIGAN

Remit to: Department of Licensing and Regulatory Affairs

Office Services Mailroom

7150 Harris Drive, PO Box 30015

Lansing, MI 48909

RETURN ORIGINAL COPY OF THIS INVOICE WITH YOUR PAYMENT

\*Please note that if a deposit is requested, the indicated amount is an estimate of the cost of complying with your request. The actual cost may vary somewhat from this amount.

From: joe harcz Comcast

Sent: Wednesday, October 22, 2014 8:13:56 AM (UTC-05:00) Eastern Time (US & Canada)

To: Rodgers, Edward (LARA)

Cc: Mike Pemble BSBP Dep. Dir.; Pemble, Mike (LARA); Essenberg, Rob (LARA); Belknap, Katie (LARA);

Luzenski, Sue (LARA); BSBPcommissioners; Joe Sibley MCBVI Pres.; Gary Gaynor; commissioner-hudson@outlook.com; Sarah Gravetti silc mcrs mcil; Mike Zelley TDN; Michael Poyma VA MCRS; trina edmondson mcrs dac; Marlene Malloy MCRS Dir.; BRIAN SABOURIN; Elmer Cerano MPAS; MARK MCWILLIAMS MPAS; Tracy Brown

Subject: better off working?

October 22, 2014 Better off Working BADP?

Paul Joseph Harcz, Jr.

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

joeharcz@comcast.net

810-516-5262

Edward Rodgers, Director

Mich. Bureau Services for Blind Persons (BSBP)

Mike Pemble, Deputy Director

Robert L. Essenberg, Director (BSBP/BADP)

(Via e-mail)

Sirs,

I point your attention to the following:

Quote from:

(Disability Reform Work Group

Strategic Plan

Developed by the Michigan Department of Human Services, Michigan Rehabilitation Services, Disability Determination Service, the Disability

Network and Michigan Employers)

““BSBP also has programs that train blind individuals to become entrepreneurs. These programs will continue to grow to help blind individuals be successful in the workforce. The workgroup will review the programs to see if there are ways to make them most effective.

Business Assistance and Development Program

The Business Assistance and Development Program (BADP) is a new division within BSBP. Its mission and goal is to guide clients into areas of business assistance and development, with a training process focused on blind individuals learning business skills and developing knowledge of operating a business. The BADP will offer consulting services, development services, educational program, financial assistance and guidance for small and medium size businesses operated, managed or owned by entrepreneurs who are legally blind. The Division will provide customer related services with various stakeholders and associations to encourage the growth of legally blind entrepreneurs in the private sector. Services may include training modules for legally blind individuals operating in the food service industry. For example, the latest Blind Enterprise Program facility in Lansing is also a training center for BADP clients. BADP is currently developing a resource guide to assist consumers in identifying external resources for potential blind entrepreneurs. “”

(Note this is from August 2014.)

Now I’m requesting in accessible format the above mentioned training modules and resource guide. They should be provided promptly to me as either Word or plain text attachments to my e-mail address listed above. Mr. Essen berg has had more than one year to develop these long promised instruments and a salary of $104,000. He also has had highly paid sighted, non-disabled administrators to assist him including Amanda Newman which is ironic as we’re talking about employing people with disabilities, and in particular those who are blind here and elsewhere.

In addition BADPP and “Cora’s Café” have been promoted here and elsewhere as a training program in food services. Yet, the Business Enterprise Training continues to fund a sighted trainer at more than $25,000 per session and those trainings such as they are are conducted at the Michigan Commission for the Blind Training Center, and will be so according to Ms. Lisa Kisial’s public comments at the recent NFB convention.

In addition Cora’s Café is currently run not by a licensed blind operator though it is a priority and mandated facility under PA 260 and is funded with VR funds to the hilt which aren’t accounted for. And finally there aren’t even any paid blind employees or others with other disabilities there.

So how can BSBP argue or state as it does that this is an effective program for establishing blind small business?

Regardless I wish to also request as a matter of accountability just how much BSBP has plowed in to BADP including all salaries, training, and expenses like on the Tim Hortons fiasco, capital equipment, rent, etc.

Since its inception.

This should not be difficult for a program promoting effective business practices to produce, It is, after all a matter of simple accounting and accountability.

Sincerely,

Paul Joseph Harcz, Jr.

Cc: NFB MI

Cc: CAP/MPAS

Cc: MCRS

Cc: MI SILC

Cc: MZ, TDN

Cc: RSA

Cc: BSBP Commission

Cc: SM MI DN