



County of Gloucester Freedom of Information Act (FOIA)

Implementation Procedures

The following are the procedures to follow when implementing Gloucester County's Freedom of Information Act Policy (BP 01-07) as attached:

I. REQUESTS

1. Any and all requests for information should be considered a FOIA request, whether or not the requestor references FOIA, and should be responded to within 5 working days. (Certain provisions may allow for an additional 7 days if approved by FOIA officer or County Attorney.)
2. Requests under the Freedom of Information Act must meet the following requirements:
 - a. FOIA requests should be submitted in writing either on the Gloucester County Request for Public Information (FOIA) form, a letter or an e-mail. Phone requests may be accepted but should be recorded on the official FOIA form. While the FOIA act does not specifically require the request to be put in writing, the department/office processing the request is asked to utilize the FOIA request form for records management purposes.
 - b. The requested information must be identifiable. The request should describe the public record sufficiently and with reasonable specificity to easily identify the record requested.
 - c. The requested document and/or information must already exist in a "public record" defined as any compilation of letters, words, or numbers prepared, owned or possessed by a public body. This includes all written, printed, magnetic and electronic records prepared in the transaction of public business.
3. Requests for information usually furnished to the general public through normal operations and that would be considered "routine and ordinary" may be received and processed by the appropriate county department without the completion of the Gloucester County Request for Public Information (FOIA) form. Requests are considered routine if the information would be provided as part of the regular course of operations, available on the county's website, printed materials such as brochures, publications or reports readily made available to the public or public documents or records frequently requested as

part of normal office operations. (i.e. zoning ordinance sections, monthly building permit report, department annual reports, etc.)

4. Requests not considered routine or ordinary, especially internal documents/records or reports not yet made public; all requests from media; information containing personal information of individuals; information that may be considered legally sensitive; requests involving specific staff or members of the board of supervisors; as well as any request specifically referenced as a "FOIA request," should be handled in the following manner:
 - a. FOIA Officer to be notified of request by e-mail or faxed a copy of Gloucester County Request for Public Information (FOIA) form. (Please note that the requestor is not required to put the request in writing.) Person presenting request to FOIA Officer should make known any concerns about the specific request (i.e. format of information, potential for exclusion, 5 work day deadline, exceptional costs related to providing information, and/or legal or political ramifications, etc.).
 - b. FOIA Officer to advise as to any special circumstances or specifics to compiling information.
 - c. FOIA Officer to consult with County Attorney and/or County Administrator to determine appropriateness of release of certain documents, as needed.
 - d. Information to be compiled by appropriate department/office within the 5 work day timeframe (unless extension is requested and approved) and forwarded to the FOIA Officer for release and distribution to requestor. Under no circumstances should the release of FOIA information be made by department directors or staff.
 - e. Any and all denials (i.e. exemptions) under this act must be authorized by the FOIA Officer and confirmed by County Attorney with written notification of specific exemption cited per FOIA act.
5. The schedule of fees contained within the county's FOIA policy will be followed in calculating costs with clarifications or questions directed to the FOIA Officer. Costs should be noted on the Request for Public Information (FOIA) form. If the cost of the request is expected to exceed \$ 200, the FOIA Officer shall issue a written notice to the requestor notifying individual of estimated cost and requesting advanced payment prior to the request.
6. In accordance with the act, or unless otherwise agreed to in writing by the person making the request, the FOIA Officer shall respond to the FOIA request within 5 business days by doing one of the following:
 - a. Process and grant the request.

- b. Issue a written notice to deny the request citing specific exemption.
- c. Grant the request in part and issue a written notice to deny the request in part noting specific exemption.
- d. Under unusual circumstances, issue written notification to extend the response period by 7 additional work days.

II. RECORD MANAGEMENT

1. Each department or office responding to a FOIA request shall keep a copy of the Gloucester County Request for Public Information (FOIA) form and a copy or reference to the information provided. The actual materials, information or records provided to the requestor do not need to be copied and filed if the documents are stored and accessible through normal operations.
2. The FOIA Officer shall retain a copy of all forms and documents released and shall establish and maintain a FOIA log to track and record all necessary information to verify compliance with FOIA regulations.