

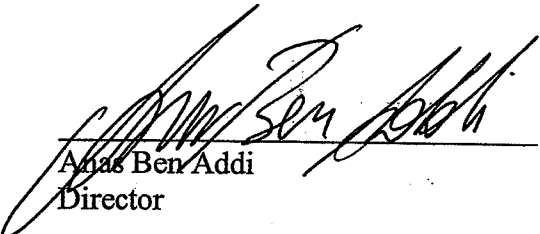
General Order No. 568  
Revising DSHA's Freedom of Information Act Policy

WHEREAS, the Delaware State Housing Authority (DSHA) previously adopted its Freedom of Information Act Policy via General Order No. 502 on May 1, 2008; and

WHEREAS, after DSHA's experience with Freedom of Information Act (FOIA) requests over the past two years, it is now desirable to provide greater structure and transparency to DSHA's FOIA process.

NOW THEREFORE BE IT ORDERED AS FOLLOWS:

1. The attached DSHA Freedom of Information Act Policy is adopted effective February 1, 2011.
2. Any substantive amendments to this Policy will be accomplished via a subsequent General Order.

  
Anas Ben Addi  
Director

2/8/2011  
Date

DELAWARE STATE HOUSING AUTHORITY  
FREEDOM OF INFORMATION ACT (FOIA)  
POLICY

Purpose

- The purpose of this policy is to set forth the process by which requests for information under the Freedom of Information Act (FOIA) are handled at the Delaware State Housing Authority (DSHA).

Public Records

- Requests for information are requests for public records in the possession of DSHA. The definition of public record is broad and includes:

"...information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected, by any public body, relating in any way to public business, or in any way of public interest, or in any way related to public purposes, regardless of the physical form or characteristic by which such information is stored, recorded or produced."

- Based upon the statutory definition of public record above, a FOIA request may include both written hard copy documents as well as electronic records.

DSHA Records Not Deemed To Be Public

- Personnel/medical files, disclosure of which would constitute an invasion of personal privacy.
- Financial information which is a privileged or confidential nature.
- Investigatory files compiled for civil or criminal law-enforcement purposes.
- Criminal record requests.
- Records pertaining to pending or potential litigation.
- All other exemptions noted under Title 29, Subsection 10002(g).

DSHA FOIA Request Process

- DSHA FOIA Custodian of Records
  - All FOIA requests will be made in writing/email to DSHA's Chief of Community Relations, 18 The Green, Dover, DE 19901.
  - All written FOIA requests must specifically identify the records sought for review in sufficient detail to enable the Chief of Community Relations to locate the records with reasonable effort.

- DSHA Response to FOIA Request

- Prior to disclosure, records will be reviewed to ensure that those records or portions of records considered exempt are removed.
- DSHA will respond in writing within ten working days of the receipt of a FOIA request.
- With respect to any request for records that are submitted to DSHA as part of a confidential bidding or application process, DSHA reserves the right to withhold such material pending the closing of such bidding process and the evaluation of bids or proposals.
- The response will either confirm the records may be inspected at a mutually convenient date, time, and place, or that DSHA will require additional time beyond the ten day period because: the request covers voluminous records, requires review by DSHA's legal counsel, or the records are in storage.
- If the records are considered exempt under the FOIA statute, the reason for such refusal to provide a record will be provided.
- The Chief of Community Relations will provide reasonable access for reviewing public records during regular business hours – Monday through Friday, 8:00 a.m. through 4:30 p.m.
- DSHA reserves the right to evaluate and narrow the scope of a FOIA request to ensure the provision of public records germane to the information required.

- DSHA Allowable Charges Related to FOIA Requests

- Administrative fees will be charged for staff time spent locating and reviewing files, monitoring file reviews, generating computer records, etc. Such staff time will be billed at the current pay rate and benefits per quarter hour spent on the request.
- Copying charges will be \$0.25 per page after the first 20 pages.
- Payment for copies and administrative fees will be due at the time the copies are released to the requestor. DSHA retains the right to require pre-payment of copying and administrative fees prior to the mailing of requested records.
- It is understood that while DSHA may provide an estimate for a FOIA request, the final invoice for such requests will reflect the actual charges incurred by DSHA.

Effective: 2/1/11