

**FORT WAYNE TRANSPORTATION CORPORATION (CITILINK)  
WRITTEN PUBLIC SUMMARY OF THE FREEDOM OF INFORMATION ACT (FOIA)  
PROCEDURES AND GUIDELINES**

Consistent with the Access to Public Records law codified in Indiana Code 5-14-3, the following is the Written Public Summary of Citilink's FOIA Procedures and Guidelines.

**1. How do I submit a FOIA request to Citilink?**

- Requests to inspect or obtain copies of public records, possessed by Citilink must be submitted in writing.
- A request must sufficiently describe a public record so as to enable Citilink to find it.
- A FOIA Request Form is available for your use and convenience on Citilink's website at [fwcitilink.com](http://fwcitilink.com) and must be used when submitting a FOIA request.
- Written requests can be made in person by delivery to Citilink in person or by mail. They can be addressed at 801 Leesburg Road, Fort Wayne IN 46808.
- A request may also be submitted by email. To ensure a prompt response, email requests should contain the term "FOIA Request" in the subject line.

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

- Within a reasonable time of receipt of a FOIA request, Citilink will issue a response. Citilink will exercise reasonable efforts to respond to a request within (7) seven days of receiving it. Citilink has the right to respond in one of the following ways to your request:
  - Grant the request.
  - Issue a written notice denying your request; by mail or email.
  - 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 this request Citilink will need an additional period of time to respond.
  - Issue a written notice that the public record requested is available at no charge on the Citilink website.
- If the request is granted, or granted in part, Citilink will ask that the 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, Citilink will require a deposit before processing the payment.

**3. What are Citilink's fee deposit requirements?**

- If Citilink has made a good faith calculation that the total fee for processing the request exceeds \$50.00, Citilink will require that you provide a deposit in the amount of 50% of the total estimated cost. When Citilink requests the deposit, it will provide you a non-binding estimate on the timeline for processing the request following receipt of your deposit.
- If Citilink receives a request that is from a person who has previously not paid for copies of public records made in fulfillment of a previously granted written request then Citilink

will require 100% of the estimated fee prior to searching for the public record for any subsequent written request.

#### **4. How does Citilink calculate FOIA processing fees?**

- A fee will not be charged for the cost of search, examination, review, and the deletion or separation of exempt from nonexempt information.
- The Indiana FOIA statute permits Citilink to assess and collect a fee for:
  - The cost of computer discs, computer tapes, USB drives, or other digital or similar media when the requester asks for the records on non-paper physical media.
  - The cost of duplication or publication, not including labor, of paper copies of public records.
  - The cost to mail or send a public record to the requestor.
- Non-Paper Physical Media
  - The cost for records provided on non-paper physical media, such as a computer disc, tape, USB, or other similar devices will be at the actual and most reasonably economical cost for the item.
  - This cost will only be assessed if Citilink has the capability to provide the public record in the requested non-paper form.
- 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 page for non-color copies and \$.25 per page for color copies. Copies for non-standard-sized sheets of paper will reflect the actual cost of reproduction (cost of the paper and per page cost for equipment usage).
  - Citilink may provide records using double-sided printing.
- Mailing costs: If you request that the copies be mailed to you, then:
  - The cost to mail public records via U.S. Mail.
  - Citilink may charge for the least expensive form of postal delivery confirmation.
  - No charge will be made for expedited shipping or insurance unless requested.

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

- Appeal of a Denial of Public Record
  - If you believe that all or a portion of a public record has been denied to you improperly, you may file an appeal of the denial with the Citilink Board of Directors. This appeal must be in writing, specifically stating the words “Appeal of a Denial of a Public Record” and must identify the reason or reasons you are seeking a reversal.
  - Within 30 business days, Citilink Board of Directors will respond in writing by: Ruling on the denial of your appeal.
  - Whether or not you submitted an appeal of your denial to the Citilink Board of Directors, you may file a civil action in the Allen County Circuit or Superior Court appealing the denial of your request.
- Appeal of an Excessive FOIA Processing Fee

- If you believe that the fee charged by Citilink to process your FOIA request exceeds the amount permitted by the state of law, you must first submit a written appeal for a fee reduction to the Citilink Board of Directors. The appeal must be in writing, specifically stating the words “Appeal of an Excessive FOIA Processing Fee” in the subject line and identifying how the requested fee exceeds the amount permitted.
- Within 30 business days after receiving the appeal, the Citilink Board of Directors will respond in writing by ruling on your fee reduction request.

**Need more details or information?**

Please contact Citilink at 260-432-4546