

**BOARD POLICY: ILLINOIS FREEDOM OF INFORMATION ACT (FOIA)**

**2:250**

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**Section A – Access to District Public Records**

Full access to the District's *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures.

**Section B – Freedom of Information Officer**

The superintendent shall serve as the District's Freedom of Information Officer and is assigned all the duties and powers of that office as provided in FOIA and this policy. The superintendent may delegate these duties and powers to one or more designees but the delegation shall not relieve the superintendent of the responsibility for the action that was delegated. The superintendent or designee(s) shall report any FOIA requests and the status of the District's response to the Board at each regular Board meeting.

**Section C – Definition**

The District's *public records* are defined as records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of the School District.

**Section D - Requesting Records**

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the District's Freedom of Information Officer. Individuals making a request are not required to state a reason for the request other than to identify when the request is for a commercial purpose or when requesting a fee waiver. All requests for inspection and copying shall immediately be forwarded to the District's Freedom of Information Officer or designee.

**Section E - Responding to Requests**

The Freedom of Information Officer or designee shall approve all requests for public records unless:

1. The requested material does not exist;
2. The requested material is exempt from inspection and copying by the Freedom of Information Act; or
3. Complying with the request would be unduly burdensome.

Within 5 business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA. The Freedom of Information Officer may extend the time for a response for up to 5 business days from the original due date. If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the delay, and (2) either inform the person of the date on which a response will be made or agree with the person in writing on a compliance period.

When responding to a request for a record containing both exempt and non-exempt material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request.

**Section F - Copying Fees**

Persons making a request for copies of public records must pay any applicable copying fee. The Freedom of Information Officer shall, as needed, recommend a copying fee schedule for the Board's approval. Copying fees, except when fixed by statute, are reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies. No fee shall be charged for electronic copies other than the actual cost of the recording medium.

**Section G - Inspection and Copying of District Records**

The inspection and copying of a public record that is the subject of an approved access request is permitted at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer or designee. Inspection of district records shall be conducted in the presence of the Freedom of Information Officer, designee or a district employee designated by the Freedom of Information Officer or designee. The copying of district records shall be performed by the Freedom of Information Officer or a district employee designated by the Freedom of Information Officer or designee. Many public records are immediately available from the District's website including, but not limited to, a description of the District and the methods for requesting a public record.

Section H - Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g. a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request. Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

Section I - File of Requests

The secretary of the Board of Education shall maintain in a single district office file, the following documents: (1) copies of all requests for inspection or copies of records, (2) copies of all notices of denial for inspection or copying of records, (3) records of all waiver or reduction of fees under this policy; and (4) copies of any other written correspondence between any individual and the Freedom of Information Officer or designee regarding the Act.

The file shall be open to any person for inspection.

LEGAL REF.:           5 ILCS 140/, Illinois Freedom of Information Act.  
                          105 ILCS 5/10-16.  
                          820 ILCS 130/5.

Approved:     September 25, 1989  
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