



CRYSTAL LAKE ELEMENTARY DISTRICT #47

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January 10, 2018

James Fuller
Daily Herald Senior Writer

RE: Freedom of Information Request

Dear Mr. Fuller:

On January 3, 2017, the School District received a Freedom of Information Act ("FOIA") request from you. You requested the following information below. Please find the School District's response to your request as fulfillment of our obligation to your request.

Please consider the following questions as a Freedom of Information request:

1. What drug prevention program does your school district use? When did you start using it? Why did you select it?
 1. Please find attached document, showing materials used with an estimated adoption of 2005.
 2. The School District is not required to give interpretation or advise per (5 ILCS 140/3.3) Sec. 3.3. This Act is not intended to compel public bodies to interpret or advise requesters as to the meaning or significance of the public records. (Source: P.A. 96-542, eff. 1-1-10.)
2. What is the annual cost of administering your drug prevention program? What is the funding source?
 1. The School District does not have a specific record that is responsive to this request. The FOIA specifically provides that a public body is not obligated to prepare a public record for the purpose of responding to a FOIA request. 5 ILCS 140/1. *See also Harwood v. McDonough*, 799 N.E.2d 859, 865 (2003) (noting that a request for records that have not yet been created is invalid).
3. If you don't have a drug prevention program, did you have one within the last 10 years? What did you use? When did you stop using it? Why?

To the extent you consider this response a denial to your request; you have the right to have the denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to: Public Access Counselor, Office of the Attorney General, 500 South 2nd Street Springfield, Illinois 62706, Fax: 217-782-1396, E-mail: publicaccess@atg.state.il.us, Phone: 312-814-5526. If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days after the date of the denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original request for documents and the denial letter when filing a Request for Review with the PAC. You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

Educational Excellence for All Students is Our Passion and Commitment.

Please find the attached document as the information fulfills our obligation to your FOIA request. I would appreciate acknowledgment that you received this email and successfully opened the document.

If you have any questions please feel free to contact me 815-788-5000.

Sincerely,

A handwritten signature in cursive script that reads "Clare F. Bourne". The ink is dark and the handwriting is fluid and legible.

Clare F. Bourne
Freedom of Information Officer
Crystal Lake School District 47

School official:

The Daily Herald is continuing our coverage of the ongoing opioid epidemic by taking a look at school drug prevention programs. We are interested in what program(s) schools are using these days and why. Please consider the following questions as a Freedom of Information request:

1. What drug prevention program does your school district use? When did you start using it? Why did you select it?
2. What is the annual cost of administering your drug prevention program? What is the funding source?
3. If you don't have a drug prevention program, did you have one within the last 10 years? What did you use? When did you stop using it? Why?

I understand that the Act permits a public body to charge a reasonable copying fee not to exceed the actual cost of reproduction and not including the costs of any search or review of the records. 5 ILCS 140/6. As a member of the news media, I am requesting a waiver fees. We believe this information is in the public interest due to the public health threat and rising number of deaths associated with opioid drug overdoses in Illinois. Please notify me in advance if you will charge any fees.

I look forward to hearing from you in writing within five working days, as required by the Act 5 ILCS 140(3). Thank you for considering and responding to this request.

James Fuller
Daily Herald Senior Writer
[224-545-3594](tel:224-545-3594)

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CHAPTER **17**

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