

Policy 920

Freedom of Information Act Policy

A. Introduction

The Illinois Freedom of Information Act provides that, “pursuant to the fundamental philosophy of the American constitutional form of government, it is declared to be the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of this Act. Such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring government to ensure that it is being conducted in the public interest.” 5 ILCS 140/1

This statutory provision applies to all information collected, assembled, or maintained by a public body in the course of its official business that is to be made available during normal business hours for inspection or copying. It assures that a written request for information will receive a timely response and allows the organization to recoup any production costs incurred by supplying the response.

The Sugar Grove Public Library (SGPL) is committed to providing citizens and taxpayers access to applicable public records under the Act. The intent of this policy is to clarify the requirements and to assist staff in the compliance of both the letter and the spirit of the Act. The intent of the Act is not to violate individual privacy, nor to further commercial enterprise, nor to disrupt the work of any public body.

SGPL will make every effort to post public policies, documents, and information about the District on the website for public review. Suggestions for strengthening information transparency are always welcomed and encouraged.

B. Information Available Online

Information is posted online that is applicable to FOIA is readily available and posted on the FOIA and Open Information section of the website including:

- Purpose
- Organizational chart
- Operating budget
- Location
- Staff employed
- Board structure and representatives
- Financials and Audits
- FOIA request information
- Public policies
- Board Meeting Agendas and Strategic planning, annual reports, and other informational items

The FOIA offer may direct requests to information online when it is applicable to the request.

C. Records Maintained

Certain types of information maintained by us may be exempt from inspection and copying. However the following types or categories of records are maintained under our control:

- Monthly Financial Statements
- Annual Receipts and Disbursements Reports
- Budget
- Annual Audits
- Minutes of the Board of Directors
- System Policies and Bylaws
- Adopted Ordinances and Resolutions of the Board
- Annual Reports and the Area and Per Capita Grant Application to the Illinois State Library
- Board reports

D. Record Requests

In order to answer requests efficiently, the designated FOIA officer is the Library Director, with one supplemental Department Manager serving as a secondary officer. The FOIA officers will be listed on the Library's general web page and in the Administration Office, with information updated as needed.

Record requests may be made by writing:

Sugar Grove Public Library District
FOIA Officer
125 S. Municipal Drive
Sugar Grove, Illinois 60554
Or by emailing: foia@sgpl.org

The request should indicate if the request is for commercial purposes, and whether the records are to be disclosed for inspection or copied.

E. Response to Requests

To reimburse the library for the actual costs for reproducing and certifying (if requested) the records, the requestor will be charged the following fees:

- There is a \$1.00 charge for each certification of records.
- There is no charge for the first fifty (50) pages of black and white text either letter or legal size.
- There is a \$.10 per page charge for copied records in excess of 50 pages.
- The actual copying cost of color copies and other sized copies will be charged.

If the records are kept in electronic format, the requestor may ask for a specific format and if feasible, they will be so provided, but if not, they will be provided either in the electronic format in which they are kept. The requestor may provide a medium for records, or may be required to pay the actual cost of the medium only, i.e. disc, diskette, tape, etc.

The FOIA officer will respond to a written request within five (5) working days or sooner if possible. Commercial requests as defined by the FOIA may be responded to in twenty one (21) days. If the requested information is not readily available, a deferral and request for additional time will be sent to the requestor in the parameters as defined by FOIA. Request by news media, non-profit, scientific or academic organizations are generally not considered to be for a commercial purpose. Requests sent past the close of the business day (4 p.m.) or on a weekend, or legal holiday will be considered received on the next business day.

Records may be inspected or copied. If inspected, an employee must be present throughout the inspection. Records will be available during standard business hours at the Library, on days during the week in which the Library is open.

F. Denial of Access

There is no requirement under the Act to provide information other than what already exists in records.

Legal counsel may be consulted to advise as to the proper response to the request.

The Library may respond with information regarding access to the information, request an extension under the Act, or deny the request in writing. Denial of the request will occur if the public records requested fall within one of the specific exemptions of the Act, or in those situations where the public body does not have either a right of access or ownership of the information. If only part of the request is denied, and access will be given to the remainder, it will be stated in the response. Any denial will include the reason or exemption.

Pursuant to Section 9.5 of the amended FOIA, 5 ILCS 140/3.5, you can file a request for review in writing to the Public Access Coordinator in the Office of the Attorney General no later than 60 days after the denial. The request for review must be signed and include a summary of the facts supporting your allegation of error.

Board approved 6/26/19