

## Chapter 2: BOARD OF EDUCATION

**REWRITTEN**

## Board Records

Effective Date

~~June 23, 2004~~**Access to District's Public Records**

Supersedes Policy Issued

~~September 27, 1995~~

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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.

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 designate 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.

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.

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.

Responding to Requests

The Freedom of Information Officer 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;
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

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material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request.

Copying Fees

Persons making a request for copies of public records must pay a copying fee 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. The fee shall be \$0.15 per black and white letter size page and actual costs for color and odd size pages. 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.

Access

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. 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.

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

~~The School Board directs the Superintendent to implement the provisions of the Illinois Freedom of Information Act. The District's "public records" are those documents, tapes, photographs, letters, and any other recorded information or material, regardless of physical form or characteristic, that were prepared, used, received, or possessed by, or under the control of, the District, a school, a school official, or an employee. Public records shall be preserved and cataloged including e-mail messages, if they: (1) are evidence of the District's organization, function, policies, procedures, or activities, or (2) contain informational data appropriate for preservation. Public records that are required to be preserved and cataloged may be destroyed when authorized by the Local Records Commission.~~

~~The Superintendent or designee shall respond to requests made under the Illinois of Freedom of Information Act from anyone desiring access to and/or copying of a District's public record. The Superintendent or designee shall approve the request, unless:~~

- ~~1. The requested material is:
 
  - ~~a. Not a "public record" as defined in this policy;~~
  - ~~b. Exempt from inspection and copying by the Freedom of Information Act or any other State or federal law; or~~
  - ~~c. Not required to be preserved or cataloged; or~~~~

~~2. Complying with the request would be unduly burdensome.~~

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~~When responding to a request for a record containing both exempt and non-exempt material, the Superintendent or designee shall delete exempt information from the record before complying with the request. The Superintendent shall report to the Board at each regular meeting any requests made under the Freedom of Information Act and will also report the status of the response.~~

~~The Superintendent shall implement this policy with administrative procedures. Copy fees are set periodically by a Board resolution.~~

~~LEGAL REF.: 5 ILCS 140/1 et seq. [Ill. Rev. Stat., ch. 116, ¶ 201 et seq.].  
105 ILCS 5/10-16 [Ill. Rev. Stat., ch. 122, ¶ 10-16].~~

~~CROSS REF.: 5.150 (personnel records), 7.350 (student records)~~