

# **FREEDOM OF INFORMATION ACT GUIDELINES**

## **I. Compliance**

It is the policy of the Glenside Public Library District to permit access to as well as inspection and copying of public records in accordance with the Illinois Freedom of Information Act, hereinafter referred to as the "Act" (5 ILCS 140/1 et seq.). In accord with the above stated policy, the following information, rules and regulations are provided and established by the Glenside Public Library District.

## **II. Presumption**

"All records in the custody or possession of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt." 5 ICLS 140/1.2.

## **III. Freedom of Information Officers**

- A. Designation. The Library Director is hereby designated to act as the Library District's Freedom of Information officers, to receive requests submitted under the Act, ensure timely responses to requests and issue responses under the Act, except in instances where records are furnished immediately.
- B. Procedures. The Freedom of Information officer shall:
  1. develop a list of documents or categories of records to be immediately disclosed upon request;
  2. note the date a written request is received;
  3. compute and note the date by which a written response is due, if necessary;
  4. maintain an electronic or hard copy of a written request, including all documents submitted with it, until the request is complied with or denied; and
  5. create a file for the retention of the original request, a copy of the response, a record of written communication with the request and a copy of other communications.
- C. Training.
  1. The Freedom of Information officer shall successfully complete an annual electronic training program developed by the Public Access Counselor.

2. If a new Freedom of Information officer is designated, he or she will successfully complete the electronic training curriculum developed by the Public Access Counselor within thirty (30) days of being so designated.
3. A list naming the Freedom of Information officers shall be annually submitted to the Public Access Counselor.

#### **IV. Requesting Records**

- A. Requests for all records must be in writing and submitted to the attention of the Library Director by mail, facsimile or e-mail, or delivery during regular business hours.

No oral request for records will be processed. The person orally requesting records shall be advised to put the request in writing.

- B. Freedom of Information Officers: Library Director
- C. Designated office for submission of requests:

Library Director/Freedom of Information Officer  
Glenside Public Library District  
25 E. Fullerton Avenue  
Glendale Heights, Illinois 60139

Hours: Those hours during which the Library is open for business currently:  
9:00 a.m. to 9:00 p.m., Monday through Thursday,  
9:00 a.m. to 7:00 p.m., Friday  
9:00 a.m. to 5:00 p.m., Saturday  
1:00 p.m. to 5:00 p.m., Sunday

- D. Content of Requests. The Library District may not request submissions on a standard form. All requests must specify, in particular, the records requested to be retrieved and and/or inspected. All requests must also specify whether the records are requested for a commercial purpose as well as whether the requestor is requesting a fee waiver. If any records are to be certified, it must be so indicated in the request, specifying which records are to be certified.

#### **V. Recurrent Requester**

- A. A recurrent requester is a person who, in the twelve (12) months immediately preceding a request, has submitted to the Library District:
  1. 50 or more requests for records;
  2. 15 or more requests for records within a 30-day period; or
  3. 7 or more requests for records within a 7-day period.

- B. A request is a written document submitted to the Library District, via personal delivery, mail, facsimile, electronic mail or other available means, that identifies a particular public record the requester seeks. One request may identify multiple records to be inspected or copied.
- C. Requests made by the news media and non-profit scientific or academic organizations shall not be considered recurrent requests for purposes of this section, when the principal purpose of the request is:
1. to access and disseminate information concerning news and current or passing events;
  2. for articles of opinion or features of interest to the public; or
  3. for the purpose of academic, scientific or public research or education.
- D. Within 5 business days after receiving a request from a recurrent requester, the Library District shall notify the requester:
1. that he/she/it is being treated as a recurrent requester;
  2. the reasons he/she/it is being treated as a recurrent requester;
  3. that the Library District shall send an initial response within 21 business days as set forth in Section E below; and
  4. that the initial response may:
    - a) provide the requested records;
    - b) deny the request pursuant to one or more exemptions;
    - c) notify the requester that the request is unduly burdensome and seek to make the request more manageable; or
    - d) provide the requester with an estimate of the time required to provide the requested records and an estimate of the fees to be charged, which the Library District may require the requester to pay in full before commencing copying.
- E. The Library District shall respond to a request from a recurrent requester:
1. within twenty-one (21) business days after receipt; and
  2. the response shall:
    - a) provide the requester with an estimate of the time required to provide the requested records and an estimate of the fees to be

charged, which the Library District may require the requester to pay in full before commencing copying;

- b) deny the request pursuant to one or more exemptions;
- c) notify the requester that the request is unduly burdensome and seek to make the request more manageable; or
- d) provide the requested records.

F. Unless exempt from disclosure, the Library District shall comply with the request within a reasonable time considering the request's size and complexity.

## **VI. Responses to Requests for Records Not Sought for a Commercial Purpose**

Within five (5) business days after receipt of a written request for records not sought for a commercial purpose, one or more of the following responses shall be given to the person requesting records:

1. The requested inspection or copying of the records may be granted immediately if the request is for a record or records that are easily accessible and immediately available. The person releasing the records shall prepare a memorandum of the release. (Exhibit A)
2. Advise in writing that the records are available for inspection or copying at the Library.
3. Advise in writing that the request is unduly burdensome with an offer to the person making the request of an opportunity to confer with the Library Director in an attempt to reduce the request to a manageable proportion.
4. Advise in writing that the request cannot be filled within five (5) days and that it will be responded to within an additional five (5) days from the original due date and notify the requestor of the reason(s) for the extension. (Exhibit B)
5. Agree in writing to extend the time for compliance for a period of time to be determined by the parties and notify the requester of the reason(s) for the extension and response delay.
6. Deny, in whole or in part, the request in writing, stating the specific basis for denial, including citation to the exemption and a detailed factual basis for the application of any exemption claimed, as well as both the right to review by a Public Access Counselor and the Public Access Counselor's address and phone number. Any denial shall be made in writing and mailed or given personally within the five (5) day period or any extension thereof.

A copy shall be filed in a central file indexed according to the type of exceptions inserted for denial, and to the extent feasible, according to the type of records requested. (Exhibit C)

## **VII. Responses to Requests for Records Sought for a Commercial Purpose.**

Within twenty-one (21) working days after receipt of a written request for records sought for a commercial purpose, one or more of the following responses shall be given to the person requesting this record:

1. The requester's inspection or copying of the records may be granted immediately if the request is for a record or records that are easily accessible and immediately available. The person releasing the record shall prepare a memorandum of the release. (Exhibit A)
2. Advise in writing that the records are available for inspection or copying at the Library.
3. Advise in writing that the request is unduly burdensome with an offer to the person making the request of an opportunity to confer with the Library Director in an attempt to reduce the request to a manageable proportion.
4. Deny, in whole or in part, the request in writing stating that the specific basis for denial, including citation to the exemption and a detailed factual basis for the application of any exemption claimed, as well as both the right to review by a Public Access Counselor and the Public Access Counselor's address and phone number. Any denial shall be made in writing and mailed or given personally within the five (5) day period or any extension thereof. A copy shall be filed in a central file indexed according to the type of exceptions inserted for denial, and to the extent feasible, according to the type of records requested. (Exhibit C)
5. Provide, in writing, to the requestor an estimate of the time required to provide the requested records and an estimate of the fees to be charged, which must be paid in full before copying the requested document.

## **VIII. Interpretation/Advisement**

The Library has no obligation to interpret public records or to advise requester of their meaning or significance.

## **IX. Exempt Records**

If any public record exempt from disclosure under Section 7 of the Act contains any material which is not exempt, the records shall be redacted or separated, if possible, and the non-exempt material disclosed. Notice of record exemption allowing the deletion shall be made in writing.

**X. Records Not in Library District’s Possession But In Possession of Contractor Party**

A public record that is not in the possession of the Library District but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the Library District, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the Library District, for purposes of this Act.

**XI. Public Access Counselor**

- A. Review by Public Access Counselor. Any person whose request to inspect or copy a public record is denied may file a request for review with the Public Access Counselor established in the office of the Attorney General within 60 days after the date of final denial.
  
- B. Requests for a Commercial Purpose. A person whose request to inspect or copy a public record is made for a commercial purpose may not file a request for review with the Public Access Counselor. A person whose request to inspect or copy a public record was treated by the Library District as a request for a commercial purpose may file a request for review with the Public Access Counselor for the limited purpose of reviewing whether the public body properly determined that the request was made for a commercial purpose.
  
- C. Written Request for Review. Requests for review must be written, signed by the requestor and include both a copy of the request for access to records and any response for the Library District. Upon receipt, the Public Access Counselor shall determine whether further review is warranted and, if so, forward a copy of a request for review to the Library District within seven (7) business days of receipt specifying the records or other documents that the Library District will furnish to facilitate the review.
  
- D. Further Review Warranted. If the Public Access Counselor determines that further action regarding a request for review is warranted, the Library District shall fully cooperate with the Public Access Counselor by:

Providing copies of requested records to the Public Access Counselor within seven (7) business days after receipt of the request for review from the Public Access Counselor.

The Library may also, but is not required to:

- 1. Answer the allegations within seven (7) business days after receipt of the request for review from the Public Access Counselor; or
  
- 2. Furnish affidavits or records concerning any matter germane to the review;  
or

3. Any combination of the foregoing.

- E. Violation Notice. If the Library District receives notice from the Public Access Counselor or Attorney General that a violation of the Freedom of Information Act has occurred, it shall either immediately comply with the directive of the Public Access Counselor or Attorney General or begin administrative review.
- F. Administrative Review. A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law. (735 ILCS 5/Art. III) An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook or Sangamon County. An advisory opinion issued to a Library District shall not be considered a final decision of the Attorney General for purposes of this Section.

## **XII. Retrieval and Copying**

Retrieval and copying of records is limited only to employees of the Library designated by the Library Director. The requestor will be notified by telephone that copies are ready to be picked up and will be held for seven (7) days.

## **XIII. Inspection of Records**

Inspection of records shall only be permitted by appointment, in the presence of an employee of the Library designated by the Library Director, during regular business hours, at a time mutually agreed upon.

## **XIV. Catalog of Records**

Records are catalogued by type in accord with the List of Records in these guidelines.

## **XV. Central File for Denial Letters**

A central file for denial letters, indexed by the type of exception for denial, will be maintained by the Library Director.

## **XVI. Fees**

The fees for copies of records are as follows:

- A. The first 50 pages of black and white, letter or legal size copies: Free
- B. 10¢ per page for each page in excess of 50 pages copied by a Library District employee in house.

- C. The actual cost per page for each color copy or size other than letter or legal.
- D. The actual cost per page for each page copied by a third party when the Library District is unable to copy the records in house.
- E. \$1.00 per certificate if the copies are to be certified.
- F. Reproduction on disc, diskette, tape or other media: actual cost of recording media.

If the person making the request for records states that the purpose of the request is for health, safety and welfare or legal rights of the general public rather than the personal or commercial gain and requests that the fee be waived or reduced, the Library Director may, upon inquiry of the precise reason for the request, grant such waiver or reduction as he/she deems appropriate.

With regard to commercial requests only,

- G. The Library District may charge up to \$10 for each hour spent by personnel in searching for and retrieving a requested record but no fees shall be charged for the first 8 hours spent by personnel in searching for or retrieving a requested record.
- H. With regard to commercial requests only, the Library District may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the public body.
- I. If the Library District imposes a fee pursuant to Sections G or H above, it must provide the commercial requester with an accounting of all fees, costs and personnel hours in connection with the request for public records.

No fee shall be charged for copies of records if the District fails to respond to a request within the time permitted for extension, but later provides the requested public records.

No fee shall be charged for any personnel costs related to searching for, reviewing or reproducing records, except as set forth in G., H. and I. above.

## **XVII. Questions**

Should any person have any questions regarding access to public records of the Library District that are not answered in this Guide, those questions may be addressed to the Library Director who acts as the designated Freedom of Information officers.

# **LIBRARY DISTRICT INFORMATION DIRECTORY**

## **XVIII. Library District and Administrative Office**

The Glenside Public Library District, Du Page County, Illinois (the “District”) is located in central DuPage County, approximately 23 miles from the City of Chicago. The District encompasses approximately 6 square miles and serves the Village of Glendale Heights and unincorporated area of Glen Ellyn Countryside. The District has provided library services to those who reside, work and travel through the area for over 32 years.

The District is governed by a seven-member Board of Trustees elected at large for six-year terms. The Board of Trustees is responsible for the budget and the policy of the District. The District also a Library Director and a staff of 53 employees. The District maintains a building housing both the library and administrative office.

The Administrative Office for the District is located at 25 East Fullerton Avenue, Glendale Heights, Illinois 60139. Phone No. (630) 260-1550.

## **XIX. President and Board of Trustees and Committees**

- A. Corporate Authority. The District is governed by a seven-member Board of Trustees. The President and present members of the Board of Trustees are:

Sam Lucente, President  
Isabelle Baldwin, Vice President  
Constance Barreras, Secretary  
Altha Milnes, Treasurer  
Mariann Evans, Trustee  
Jessica Breede, Trustee  
Chodri Khokar, Trustee

- B. Committees. The Board of Trustees maintains four (4) standing committees and the present members are as follows:

## COMMITTEE INFORMATION

<i>Committee</i>	<i>Participants</i>
Executive	Sam Lucente, Chair Isabelle Baldwin Altha Milnes
Budget	Altha Milnes, Chair Constance Barreras Chodri Khokhar
Building	Isabelle Baldwin, Chair Altha Milnes Jessice Breede
Personnel	Isabelle Baldwin, Chair Mariann Evans Constance Barreras Jessice Breede
Trustee Development	Constance Barreras, Chair Isabelle Baldwin Mariann Evans Chodri Khokhar

**XX. List of Records**

**TYPES OF RECORDS**

1. Administrative  
List of Employees  
Contracts in Force  
Job Descriptions  
Annual Reports to the Illinois State Library  
Personnel Code  
Goals and Objectives  
Newsletters
2. Board
  - a. Minutes from regularly scheduled meetings (including reconvened meetings)
    1. Librarian's Report
    2. Treasurer's Report
      - a. Monthly Funds Report
      - b. Bills Approval Report
  - b. Other attachments to the Agenda
    1. Board Committee Minutes
    2. Ordinances
    3. Resolutions
    4. Policy Resolutions
    5. Special Reports or Recommendations
3. Financial
  - a. Operating Budget
  - b. Annual Statement of Receipts and Disbursements
  - c. Annual Audit Report
  - d. Chart of Accounts
  - e. Vendor List, Calendar Year End
4. Building
  - a. Contracts
  - b. Insurance Policies
  - c. Building Specifications
  - d. Appraisals
5. Miscellaneous
  - a. Grant Applications
  - b. Mission Statement, Vision and Values