TITLE: Freedom of Information Act

DATE ADOPTED: December 12, 2011

The following guidelines and catalogue of records, listing the types or categories of records maintained by the Lake Villa Public Library District are intended to assist the public requesting information and public records pursuant to the "Freedom of Information Act." (5 ILCS 140/1 *et seq*) and amended by PA 96-0542:

RECORD REQUEST GUIDELINES

1. Any person requesting records of Lake Villa Public Library District may make such a request either in person, orally or in writing at the Library's Administration office located at 1001 E. Grand Ave. Such request should be made to the Director, the FOIA Officer at said address. If the Director is not present in person, you should see the Head of Administrative Services, Deputy FOIA Officer.

2. Public records can be inspected or copies obtained, after submission of a written request, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, except for holidays, at the above address. Another method would be by mailing, faxing or emailing a written request to either the LVDL Director or Head of Administrative Services, specifying in particular the records requested to be disclosed and copied. All written requests should be addressed to the FOIA Officer at above address. If the person making the request desires that any records be certified, they must indicate that in the request and specify which records must be certified.

3. The fees for copies of any such records are listed below.

4. The Library is prepared to explain, upon written request, the manner in which public records or information stored by means of electronic data processing may be obtained in a form comprehensible to persons lacking knowledge of computer language or printout format.

5. In the event that requested information cannot be provided by the Library within five (5) days of receipt of the written request for that information, the Library shall so inform the person requesting the information, in writing.

6. In the event that a request to inspect Lake Villa Public Library District records is denied by the Library Director, or authorized designee, the denial may be appealed to the State of Illinois Public Access Counselor, (PAC), who may be contacted within 60 days of the notice at the:

Office of the Illinois Attorney General
100 W. Randolph Street
12th Floor
Chicago, Il 60601
(312)814-3000
http://illinoisattorneygeneral.gov/

who under the Illinois Freedom of Information Act, will review the request and denial and make a decision pursuant to the procedures of the Office of the PAC. Details regarding the process that the PAC will follow may be obtained from that Office.

7. Copies of all notices of denial are retained by the Lake Villa Public Library District in a single central office file that is open to the public and indexed according to the type of exemption asserted, and to the extent feasible, to the type of information requested.

RECORDS CATALOGUE

A list of types or categories of records under the control of the Lake Villa Public Library District is as follows:

Financial Records
- Budget
- Appropriation Ordinance
- Audit
- Bills and invoices
- Receipts of revenue
- Cancelled checks
- Receipts for fines
- Salary schedules
- Utility bills (e.g., telephone, gas, electric, and water)
- General ledgers

Board Records
- Minutes of board meetings
- Minutes of committee meetings
- Board Resolutions
- Board Ordinances
- Board policies

Personnel policies
Contracts for maintenance and repair
Professional consultant contracts
Pension fund records
Insurance policies

Building inspection reports
Computer records concerning the library's holdings and cataloging records, patron requests and transactions

Note: provision of some of this information may be prohibited by the Library Records Confidentiality Act.

SCHEDULE OF CURRENT FEES FOR COPYING

The fees for any such records, if the person requesting the records wishes them to be copied are as follows:

The first 50 pages of black and white, letter or legal size copies, no cost.

Additional pages, black and white, letter or legal sized paper: $.10 per page.

Colored copies and copies sized other than legal or letter size: $.25 per page.

Electronic records (e.g. disks, diskettes, tapes, etc.): at cost.

Records may be furnished without charge or at a reduced charge, as determined by the Library, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

Form: FOIA-1

EMPLOYEE MEMORANDUM REGARDING ORAL REQUEST FOR RECORDS

SAMPLE

On the _____ day of _____, 20__, at the hour of ___ ____ .M., the following individual(s) appeared in person at the Administration Office, Lake Villa Public Library District, and asked to inspect the following records:

Individual(s) making the request:
Records sought to be inspected:

The above records were presented to such individual(s) for inspection at _____ ____.M. on the _____day of _____, 20__, except for:

(here insert any records not presented)

The reason(s) for not providing the above records (or portion of records) was _____

(here insert reason – such as the fact that the records were exempt records, or that they could not be immediately located and a search would continue, or that no such records existed)

Of the records requested, copies of the below records were provided to or made by the individual(s) making the request:

Date and Time of Memorandum: _____
Signature of Employee: _____
Title of Employee: _____
Witness: _____

Form: FOIA -2

WRITTEN REQUEST FOR INSPECTION OR COPYING OF PUBLIC RECORDS

LAKE VILLA PUBLIC LIBRARY DISTRICT

1. Name of person making request: _____
2. Address of person making request:
   _____
3. Telephone number of person making request: _____
4. Date of request: _____
5. Is request for commercial purposes? (yes/no) (if yes, see Form FOIA-7)

(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for commercial purposes without disclosing that it is for a commercial purpose.)

6. Are you requesting a fee waiver (yes/no) If yes, state reason:
   _____
   _____

Describe in detail below the public records you are requesting and state whether you wish to inspect and/or copy such records. Also, please state whether such public records are to be certified. If you wish to receive the records in a specific electronic format, please describe.

_____
_____
_____
_____

The Lake Villa Public Library District will respond to the above request within five (5) working days from the above date unless one or more of the seven (7) reasons for an extension of time provided for in Section 3(e) of the Act are invoked by the Library.

_____
Signature of person making request

(ROUTING OF REQUEST – FOR OFFICE USE ONLY)

FOR COMPLETION BY FOIA OFFICER:

Date received:_____
Date response time expires:_____
Copy of request and attachments filed:_____
File folder # for this request:_____
Date created:_____

DEPARTMENT OR OFFICE

Administration
Adult Services
Circulation
Community Services
Information Technology
Technical Services
Youth Services
Other

Form: FOIA-3

DENIAL LETTER

SAMPLE LETTER

Dear (individual involved):

You are hereby notified that your request for the disclosure of _____ (records requested) is hereby denied and the reason for such denial is as follows:

(reason for denial – citing exemption under the Act)

This decision to deny disclosure of the records requested has been made by the Director, FOIA Officer for the Lake Villa Public Library District.

You are hereby further notified that you have the right to appeal the State of Illinois Public Access Counselor, (PAC), who may be contacted within 60 days of the notice at the Office of the Illinois Attorney General, 100 W. Randolph Street, 12th Floor, Chicago, Il 60601 (312)814-3000, who under the Illinois Freedom of Information Act, will review the request and denial and make a decision pursuant to the procedures of the Office of the PAC. Details regarding the process that the PAC will follow may be obtained from that Office.

Lake Villa Public Library District

By:_____

FOIA Officer

[If reason for denial is exempt under Sec. 7(1)© of 7(1)(f) of FOIA, Form FOIA-8 must be used]

Form: FOIA-4

DENIAL LETTER – UNDULY BURDENSOME

SAMPLE LETTER

Dear (individual involved):

You are hereby notified that your request for all the Lake Villa Public Library District financial records are hereby denied because to comply with your request would be unduly burdensome for the following reasons(s):

(set forth why it would be unduly burdensome, such as this is a repeated request for the same records by the same person).

After meeting and conferring with you on the _____ day of _____, 20__, we were unable to reduce your request to manageable proportions and it appears from our explanation as to why you are requesting these records, that the burden on the Library outweighs the public interest in the information being sought.

Lake Villa Public Library District

By: _____
Title:_____

Form: FOIA-5

EXTENDING TIME FOR DISCLOSURE

SAMPLE FORM

Dear (individual involved):

We have been unable to fill your request dated _____requesting

(the records requested)

for the following reason or reasons (check one or more of the following reasons as appropriate):

- ❑ The requested records are stored in whole or in part at other locations.
- ❑ The request requires the collection of a substantial number of records.
- ❑ The request is categorical in nature and requires an extensive search for the records responsive to it.
- ❑ We have failed to locate the requested records in the course of a routine search and additional efforts are being made to locate them.
- ❑ The requested records require examination by a competent person in order to determine which, if any, are exempt under Section 7 of the Act or should be revealed only with appropriate deletions.
- ❑ It would unduly burden or interfere with the operations of the Library to fill the request within the initial five (5) working days.
- ❑ There is a need for consultation with another public body, which has a substantial interest in the determination, or in the subject matter of the request.

With respect to the records you have requested, such records will be available to you by _____ or we will make a decision denying your request by such date. Such date will be within five (5) additional working days from _____
(here insert the date of the 5th working day after the original request was filed)

If you are willing to extend the time for compliance beyond this date, please contact the undersigned with the date by which you agree to extend the time for compliance.

Lake Villa Public Library District

By:_____

FOIA Officer

Form: FOIA-6

DISCLOSURE WITH DELETION OF EXEMPT MATERIAL PURSUANT TO SECTION 8 OF ACT

SAMPLE LETTER

Dear (individual involved):

Pursuant to written request of _____ (date), enclosed you will find copies of the records you have requested. Please note that pursuant to Section 8 of the Freedom of Information Act, certain material originally contained in such records has been deleted because such material is exempt material under Section 7(_____) or 7.5(_____) (subsection) of the Act.

By:_____
FOIA Officer

Form: FOIA-7

RESPONSE TO REQUEST FOR RECORDS TO BE USED FOR A COMMERCIAL PURPOSE

SAMPLE LETTER

The undersigned has determined/you have informed us that your request for Library records, received _____, 20__, is a request for a commercial purpose.

Accordingly, I provide you with the following information:

- I estimate that the records sought can be ready for you within _____ days of the date of this notice. The copying charge is estimated as $_____. Please remit this amount. Copying will not proceed until payment is received.

- The request is denied because the records are exempt under Section _____ of the Freedom of Information Act.

- The request in its current form is unduly burdensome. Please contact me for discussion as to whether we can reduce the request to manageable proportions.

- The records you requested are ready for pick up/attached.

By_____

FOIA Officer

Form: FOIA-8

NOTICE TO REQUESTOR AND TO PUBLIC ACCESS COUNSELOR OF INTENT TO DENY ALL OR PART OF REQUEST BASED ON FOIA EXEMPTION 7(1)(C) (PERSONAL INFORMATION) OR 7(1)(F) (PRELIMINARY DOCUMENTS).

SAMPLE LETTER

Dear Public Access Counselor and Requester:

The undersigned is a FOIA Officer for the Lake Villa Public Library District. We are in receipt of the attached request received on the date noted, and intend to deny the request because the documents sought fall under the exemption to FOIA for 7(1)(c) Personal Information/7(1)(f) Preliminary Documents.

The proposed denial letter is attached.

A summary of the Library's basis for the proposed denial is as follows:

Sincerely,

_____

FOIA Officer