

Community Relations

ILLINOIS FREEDOM OF INFORMATION ACT

ADMINISTRATIVE GUIDELINES GOVERNING COMPLIANCE WITH THE ILLINOIS FREEDOM OF INFORMATION ACT

I. DEFINITIONS

- A. "Public body" means any school district, college or university, municipal corporation or other public entity, including boards, commissions, committees, advisory groups or other subsidiary bodies of such public entity.
- B. "Head of the public body" means the Superintendent of Schools.
- C. "Person" means an individual or a corporation partnership, firm, organization or association.
- D. "Copying" means reproduction by means of any photographic, electronic, mechanical or other process, device or means.
- E. "Public records"
1. Physical Form Includes all writings, maps, photographs, microfilm, cards, tapes, recordings, electronic data processing records and all other documentary materials, regardless of physical form, that were prepared or are used by or under the control of the public body.
 2. Categories of Public Records

Includes, but is not limited to, the following categories of records:

- a. administrative manuals, procedural rules and instructions to staff;
- b. final opinions and orders, except adjudication of student or employee grievances or disciplinary cases;
- c. policies adopted and interpretations thereof made by the public body;
- d. final planning documents;
- e. final reports and studies prepared by or for the public body, but excluding reports and studies prepared for internal use by staff;
- f. information concerning expenditure of public funds;
- g. names, salaries, titles and dates of employment of all employees and officers;

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- h. materials containing opinions concerning the rights of public bodies or private persons, but excluding legal opinions and other documents prepared for the exclusive use of the public body which are privileged by law;
 - i. name of every official and final records of voting in all proceedings;
 - j. information concerning grants or contracts made by a public body and applications for a grant, contract or permit, except those specifically exempted under the Act.
 - k. each report, document, study or publication prepared by independent consultants for the public body; and
 - l. all other information required by law to be made available for public inspection and copying.

II. INFORMATION ABOUT THE DISTRICT AND RECORDS OF THE DISTRICT

A. Information To Be Displayed

The following information shall be available at the administrative office and each attendance center:

1. Purposes of the District;
2. Block diagram of organization;
3. Official budget document;
4. Location of all offices;
5. Approximate number of employees, full and part-time;
6. List of members of any boards, commissions or committees, including advisory bodies, which control policy or to whom the District is accountable; and
7. Information about securing records, including:
 - a. names, titles, addresses of employees to whom the request for records is to be made;
 - b. form for requesting inspection or copying of records; and
 - c. fees to be charged for copying and for certification;

B. Records List To Be Maintained

A reasonably current and detailed list shall be maintained of records in each of the categories described as public records in the act and shall include all public records prepared or received after July 1, 1984. This list shall be available to the public.

C. Explanation of Electronic Records

On request, an explanation shall be provided as to the means for obtaining records stored by electronic data processing.

III. REQUEST TO INSPECT AND/OR COPY RECORDS

A. Form of Request

1. A request to inspect and/or copy records shall be made by any person in writing on the form(s) furnished by the school district.

B. Scope of Request

1. The request shall specify the particular record(s) to be inspected or copied.
2. The request may include a request for a certification of a copy of a record.

IV. RECORDS EXEMPT FROM INSPECTION AND COPYING

The following records are exempted from inspection and copying:

A. General Exemptions

1. Information barred from disclosure by federal or state law, including, but not limited to, that specified in the Family Educational Rights and Privacy Act and the Illinois School Student Records Act;
2. Disclosure of any information that would constitute a clearly unwarranted invasion of the privacy of students, employees, appointees or elected officials, unless: such information bears on the public duties of employees or officials; there is a written consent to release this information; or the requester is an employee who has statutory right of access to his or her records;
3. Library circulation records identifying the user with particular materials;
4. "Peer review" information received by the district in conjunction with faculty evaluations; and
5. Information related solely to the internal personnel rules and practices of the school district;

B. Special Records Exemption

1. Investigative records compiled for internal purposes, but only if disclosure would: interfere with pending or probable enforcement proceedings; deprive a party of a fair hearing; reveal a confidential source; invade the privacy or endanger the physical safety of any person;
2. Minutes of meetings authorized to be closed
3. Communications with the attorney or auditor of the School District which are not subject to discovery and are prepared or compiled for auditors or prepared upon request of the attorney in anticipation of civil or administrative proceedings; and other communications which are privileged by law;

4. Information related to data processing or software which could jeopardize the security of the system;
5. Records related to real estate sales or purchases until negotiations are terminated or transactions are consummated;
6. Proprietary records concerning the operation of intergovernmental risk management associations, self-insurance pools or self-administered health or accidental pools;
7. Building security documents or other records which could endanger the health or safety of persons or property if released; and
8. Information concerning the public entity's adjudication of a student or employee grievance or disciplinary case, except for the final outcome.

C. Preliminary Documents Exemptions

1. Preliminary drafts, notes or recommendations unless publicly cited by the President of the Board of Education;
2. Proposals and bids for grants or contracts until selection or award if disclosure would confer advantage or frustrate procurement;
3. Architects' and engineers' plans;
4. Materials related to collective bargaining, except for the final agreement; and
5. Drafts, notes or recommendations regarding financing transactions, including information regarding the ownership of debt obligations and persons to whom payments are to be made.

D. Instruction-Related Materials Exemptions

1. Research data which if disclosed may result in private gain or public loss;
2. Questions, scoring keys or other data related to academic examinations; and
3. Course material or research materials used by faculty members.

V. RESPONSES TO REQUESTS TO INSPECT AND/OR COPY REPORTS

A. Time for Responses

1. The District shall comply with or deny a written request within seven (7) working days after its receipt, except that:
 - a. records are stored at another location;
 - b. a substantial number of records must be collected;
 - c. the request is categorical in nature and requires an extensive search;
 - d. after a search, the records cannot be located;
 - e. an evaluation by a competent person is required to determine whether the records are exempt under Section 7 of the Act;

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- f. timely compliance would be an undue burden interfere with regular operation of the entity; or
 - g. there is need for consultation with another public body which has a substantial interest in the determination or in the subject matter of the request.

If additional time is required for any of the above reasons, the requester shall be so notified, in writing, within seven (7) working days of receipt of the request.

B. Charges for Copies and Certification

A fee of \$.25 per page may be charged for copying letter size documents; \$.30 for legal size documents; and \$.19 per documents for certifying of records.

C. Denial of Requests

1. Basis for Denial

A request may be denied if;

- a. the record are exempt under Section 7 of the Act (IV. above). except that, if the record exempt contains any material not exempt, the non-exempt material shall be separated and made available to the requester;
- b. a request which is made for all records in a category would be unduly burdensome, and, if so, the District shall notify the requester and provide opportunity to confer so as to narrow the request, and if this effort fails, the District must notify the requested in writing of the reasons the request would be unduly burdensome;
- c. repeated requests for the same records by the same persons are deemed unduly burdensome;
- d. the purpose of a request made for records is to further a commercial enterprise.

2. Formal Denial Notification

The requester shall be notified by letter of:

- a. the decision to deny;
- b. the reason for denial and, if on account of an exemption, the exemption on which denial is based;
- c. the name and title of the person responsible for the denial; and
- d. the requester's right to appeal to the Superintendent of Schools.

Copies of all denial notices shall be retained in a central file open to the public and indexed by exemption and, to the extent feasible, by type of record requested. Failure of the District to respond in a timely fashion shall be considered denial.

D. Appeal from Denial

Any person denied opportunity to inspect or copy a record may appeal that decision by a written notice of appeal to the Superintendent of Schools fourteen (14) days after notice of denial is issued. The Superintendent shall review the appeal and notify the party of the decision within seven (7) working days after receipt of the notice of appeal. If the appeal is denied, or timely response is not made, the person appealing is deemed to have exhausted administrative remedies and may pursue other remedies provided by the law.