

Purpose of the Policy

The St. Charles Public Library is committed to providing citizens and taxpayers access to applicable public records under the Illinois Freedom of Information Act. The intent of the FOIA Policy is to clarify the requirements and to assist all parties in the compliance of the Act.

Illinois Freedom of Information Act

The purpose of the Freedom of Information Act is to ensure that all persons are entitled to full and complete information regarding affairs of government and the official acts and policies of those who represent them as public officials. Such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely and monitoring the government to ensure that it is being conducted in the public interest [5 ILCS 140/1].

The principle mandate of the Act provides that each public body shall make available to any person for inspection, upon submission of a written request, copies of any public records that are subject to disclosure under the Act. It assures that a written request for information will receive a timely response and allows the organization to recoup certain production costs incurred by supplying a response.

A public record is any record, report, form, writing, letter, memoranda, book, paper, map, photograph, card, tape, recording, electronic data processing record, recorded information, and all other documentary material, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body [5 ILCS 140/2].

Procedure to request library records

Information and the records available to the public may be requested in the following manner:

- A. A written request must be provided. Email requests are accepted as well as written requests on paper. There is no requirement under the Act to respond to oral requests.
- B. Requests should be directed to the FOIA Officer at the St. Charles Public Library: One S. Sixth Avenue, St. Charles, IL 60174. FOIA contact information is posted on the library's website at <https://www.scpld.org/about/foia/>.
- C. A description of the requested records or information must be included in the request.
- D. The requester must indicate if the request is for a commercial purpose as defined in the Act. A commercial request is when the requester seeks to use part or all of the public records for sale, resale, or solicitation or advertisement for sales or services. Requests by the news media, not-for-profit organizations, scientific or academic institutions are not considered commercial information requests.

Response to FOIA Requests

The FOIA Officer will respond to all requests as mandated by the Freedom of Information Act as outlined below:

- A. Within five (5) business days following the date of a written request, the FOIA Officer will respond with information regarding access to the information, request an extension under the Act, or deny the request in writing. A public body has 21 business days to respond to a request for information for a commercial purpose.
- A "business day" is a regular day of the week (Monday through Friday). Saturdays, Sundays, and legal holidays are not business days and cannot be counted in the 5 day time period.
 - If an extension is warranted under the Act, the public body may take an additional 5 business days to respond. The public body must notify the requester of the extension in writing and include the statutory reason(s) for the extension.
 - Denial of the request will occur if the requested public records fall within one of the specific exemptions of the Act. 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 and legal citation as well as the requestor's right to seek review of the issue by the Attorney General's Public Access Counselor <https://illinoisattorneygeneral.gov/Open-and-Honest-Government/PAC/>
- B. The public body is not required to copy a public record that is published on the public body's website. The FOIA Officer must notify the requester that the public record is available online and direct the requester to the website where the record can be reasonably accessed.
- C. The charge for copies of the records will be as follows: 1) first 50 pages black and white on legal or letter size will be free; 2) \$0.15 per page for black and white on legal or letter size after the first 50 pages; 3) \$0.20 per page for color or oversized copies or electronic media (i.e., disc, tape, etc.)
- D. Records may be inspected or copied. If inspected, an employee must be present throughout the inspection. Records will be made available by appointment on weekdays, Monday through Friday 9:00 a.m. to 4:30 p.m. excluding holidays.

For the full text of the Freedom of Information Act, please see 5 ILCS 140:

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&ChapterID=2>

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