

Regular Board Meeting – February 16, 2010

**SUBJECT: REVISION OF POLICY 1320: PUBLIC ACCESS TO RECORDS**

~~District records, except as exempted by law, are to be made available for public inspection and copying in accordance with the Illinois Freedom of Information Act. Procedures for public access to records are to be posted in each school and the District office.~~

~~Those records exempt from inspection and copying are specified in Section 7 of the Information Act. Examples of exempt records include records covered by the Illinois Student Records Act, personnel files, information regarding individuals receiving services from the School District, minutes of closed meetings of the Board, library circulation records, communications with auditors and attorneys regarding civil and administrative proceedings involving the School District, course materials and tests used by faculty members, materials prepared for an internal audit, and records regarding real estate purchases or sales.~~

~~All requests for inspection and copying shall be directed in writing to the Superintendent of Schools or to the administrator designated by the Superintendent and reported to the Board of Education as required by law. Inspection and copying shall be accommodated within seven working days after receipt of the requests, except when it is administratively not feasible to do so. When requested, copies of records shall be furnished at a cost of \$.15 per page.~~

~~In the event of denial of request for disclosure of a District record, the person making the request shall be so notified by letter giving reasons for the denial and including the person's right to appeal to the Superintendent of Schools, or, if the decision to deny is made by the Superintendent, the person's right to judicial review.~~

~~The administration, in responding to requests made under the terms of the Freedom of Information Act shall regard the privacy of students and personnel and the integrity of the educational program as reference points in evaluating all requests.~~

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.

The Superintendent or designee 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 delegate 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.

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.

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 or designee.

#### 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; or
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 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 any applicable copying fee. Copying fees, except when fixed by statute, are reasonably calculated 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. 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.

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

Policy adopted by the Board of Education on 6/29/84

Renumbered from 3601

Readopted 3/15/05

Revised 2/16/10