

KEWANEE PUBLIC LIBRARY

FREEDOM OF INFORMATION ACT POLICY

The Kewanee Public library District subscribes to and observes the provisions of the Illinois Freedom of Information Act (“Act”). These rules and regulations are established to implement the provisions of the Freedom of Information Act. The purpose of these rules is to support the policy of providing public access to the public records in the possession of the Kewanee Public Library District while, at the same time, protecting the legitimate privacy interest of residents and maintaining administrative efficiency.

These rules and regulations are filed in accordance with the Freedom of Information Act. A copy of the Freedom of Information Act is on file for inspection in the Administration Office.

Procedure

Making a Request

Any person may request records of the Kewanee Public Library District by submitting a written request, delivered by mail, fax, email or in person. Requestors may use the Library’s FOIA Request Form, which is available on the Library’s website. The requestor shall provide the following information in a request for public records:

The requestor’s full name, address, and phone number

A brief description of the public record sought, being as specific as possible

Whether the request is for inspection of public records, copies of public records, or both

Whether the request is for commercial purpose.

Mailed requests should be sent to:

Freedom of Information Officer
Kewanee Public Library District
102 S. Tremont St.
Kewanee, IL 61443

Requests may be faxed to: 309-852-4466 and emailed to vanol@kewaneeibrary.org. Any oral requests records will not be processed. The personal orally requesting records will be instructed to put the request in writing to the attention of the Freedom of Information Act Officer. Routine oral requests will be handled at the discretion of the Freedom of Information Officer. Examples of routine oral requests that will be handled at the discretion of the FOIA officer include requests for: minutes of public meetings and copies of Library ordinances.

Response to the Request

The Library shall respond to a request for public records in one of three ways: Approve the request; approve in part and deny in part or deny the request. The Library shall respond to a written request for public records within five (5) working days, after the receipt of the written request, except for commercial requests. Upon receipt of a FOIA request, the Freedom of Information Officer will note the date of the receipt of the request, compute the deadline to respond to the request and write it on the request, maintain an electronic or paper copy of the written request and all documents submitted with the request until it is complied with or denied, and create a file for the retention of the original request, a copy of the response and a copy of any communications regarding the request.

The Library may give notice of an extension of time to respond which does not exceed an additional five (5) working days, unless the requester and the Freedom of Information Officer agree to extend the time to respond to a different date and put such agreement in writing. Such an extension is allowable only if written notice is provided within the original five (5) working day time limit and only for the reasons provided in Section 3(3) of the FOIA. Such notice of extension shall state the reasons why the extension is necessary and the date by which the records will be made available or denial will be made. Such an extension may be for any of the reasons set forth in the Act, as follows:

1. The requested records are stored in whole or in part at locations other than the office having charge of the requested records;
2. The request requires the collection of a substantial number of specified records;
3. The request is couched in categorical terms and requires an extensive search for the records responsive to it;
4. The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
5. The requested records require examination and evaluation by personnel having necessary competence and discretion to determine if they are exempt from disclosure under the Act or should be revealed only with appropriate deletions;
6. The request for records cannot be complied with by the Library within the time limits prescribed above without unduly burdening or interfering with the operations of the Library; or
7. There is a need for consultation, which shall be conducted with all practical speed, which another public body or among two or more components of a public body having substantial interest in the determination or in the subject matter of the request.

Exemptions

The Act creates a presumption that all records in the custody or possession of the Library are open to inspection or copying. Records are exempt only as provided in Section 7 of the Act.

Exemptions shall be considered as follows:

1. The Library is not required to provide copies of or allow access to any public records, which are exempt from disclosure under the Act, as amended from time to time.

2. If any public record that is exempt from the disclosure under the Act contains any material which is not exempt, the Library shall delete the exempt information and make the remaining information available for inspection and copying.

Approval of a Request

Unless otherwise arranged, public records will be made available for inspection during normal working hours of the Library, Monday-Friday from 12:00 p.m. to 4:00 p.m. Documents which the requestor wishes to have copied shall be segregated during the course of the inspection. All copying shall be done by Library employees. Original documents may only be examined under close supervision of Library staff.

Denial of Request

When a request for public records is denied on the grounds that the records are exempt under the Act, the notice of denial shall specify the exemption claimed to authorize the denial. When the Library denies a request for public records, it shall notify the Requestor in writing of that decision, the reasons for the denial, including a detailed factual basis for the application of any claimed exceptions in accordance with either Section 3(g) and/or Section 7 of the FOIA, and the names and titles of the positions of each person responsible for the denial. A notice of denial shall also inform the Requestor of his/her right to review by the Public Access Counselor, including the Counselor's address and phone number. The Requestor shall also be notified of the right to seek judicial review pursuant to the Act. The Public Access Counselor can be reached at: 1-800-243-0618 or (217)-558-0486; Illinois Attorney General's Office, 500 South Second Street, Springfield, Illinois 62701.

Failure to respond to a written request within five (5) working days, or an extended date agreed to in writing between parties, if any, maybe considered by the requestor as a denial of a request. Categorical requests creating undue burden upon the Library shall be denied only after extending to the Requestor the opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3(g) of the Act.

Commercial Requests

For commercial requests, the procedure shall be as follows: The Freedom of Information Officer shall respond within twenty-one (21) working days. The response shall: (i) provide the requester an estimate of the amount of time required to provide the requested records and an estimate of fees to be charged, which must be prepaid; (ii) deny the request pursuant to any of the applicable exemptions in the Act; (iii) notify the requester that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions; or (iv) provide the requested records.

Freedom of Information Officer

The Director shall be the Freedom of Information Officer. In the absence of the Director the Bookkeeper shall be the Freedom of Information Officer. Officers initially designated as

Freedom of Information Officers, and their designates, shall complete the training mandated by the Act within six (6) months of November 1, 2022. Persons assuming those positions thereafter shall complete the training within thirty (30) days of appointment.

The Freedom of Information Officer shall make available to the public at no charge the following materials:

A brief description of the organizational structure and budget of the Kewanee Public Library District

A brief description of the means for requesting information and public records and a directory of the Freedom of Information Officers; and

A list of types and categories of public records maintained by the Kewanee Public Library District

This information will also be posted on the Library's website.

Fees and Costs

Copies of public records shall be provided to the requestor only upon payment of any copy charges which are due. In the event that the charges for copies of public records are more than \$.50, the Freedom of Information Officer shall require that advance payment be made in full. Written confirmation from the requestor will be required for charges over \$25.00. The copying charges may be waived, pursuant to the Act and at the discretion of the Freedom of Information Officer. For commercial requests, the costs shall be determined as stated above.

**KEWANEE PUBLIC LIBRARY DISTRICT
FREEDOM OF INFORMATION REQUEST**

Name: _____

Address: _____

Telephone number: _____ Cell: _____

DESCRIPTION OF REQUESTED RECORD(S):

Please indicate if you wish to inspect the above captioned records or wish a copy of them:

Inspection

Copy

Both

Do you wish to have copies certified? Yes No

Is this information to be used for a commercial purpose? Yes No

This request is being made in accordance with the provisions of the Freedom of Information Act, and the undersigned agrees to abide by the Rules and Regulations, and to pay all charges involved with the copying of the documents including postage costs.

SIGNATURE

FOR OFFICE USE ONLY

Date Received

Date Response Due

Date and Type of Response: Approved on _____; partially approved on _____;
denied on _____.

Approved: December 12, 2022