



# OPERATING POLICY

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## FREEDOM OF INFORMATION ACT (FOIA) REQUESTS

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### Summary and Purposes

These Rules are established to further the policy of the State of Illinois whereby all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees, consistent with the terms of the Freedom of Information Act (5 ILCS 140/1 et seq.). The purpose of these Rules is to support the policy of providing public access to the public records in the possession of the La Grange Public Library (the "Library") while at the same time protecting legitimate privacy interests and maintaining administrative efficiency.

These Rules create a procedure by which the public may request and obtain public records.

### Definitions

Terms used in these Rules shall have the same meaning as in the Freedom of Information Act. In addition, the following terms shall have the meanings as set forth below:

"Director" means the Library Director of the La Grange Public Library, or designee.

"FOIA" means the Freedom of Information Act (5 ILCS 140/1 et seq.).

"Freedom of Information Officer" means one or more individuals who are designated by the Director as being responsible for receiving and responding to requests for public records.

"Requester" means a person who submits a request for public records in accordance with these Rules.

"Voluminous request" means a request that (i) includes more than 5 individual requests for more than 5 different categories of records or a combination of individual requests that total requests for more than 5 different categories of records in a period of 20 business days; or (ii) requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages. "Single requested record" may include, but is not limited to, one report, form, e-mail, letter, memorandum, book, map, microfilm, tape or recording. Voluminous requests do not include requests made by news media and non-profit, scientific, or academic organizations if the principal purpose of the request is (1) to access and disseminate information concerning news and current or passing events; (2) for articles of opinion or features of interest to the public; or (3) for the purpose of academic, scientific or public research or education.

### Principal Office

For the purpose of these Rules, the principal office of the La Grange Public Library shall be its office at 10 W. Cossitt Avenue in the Village of La Grange, Illinois 60525.

### Availability of Records

Records of the La Grange Public Library, unless otherwise exempt under Section 7 of FOIA (5 ILCS 140/7), shall be available for inspection at the principal office of the Library at 10 West Cossitt Avenue in the Village of La Grange, during the Library's normal hours of operation (9:30 a.m. through 4:30 p.m., Monday through Friday, except during official State holidays and closing dates authorized by the Library Board of Trustees).

Requesters must contact the Freedom of Information Officer to schedule an appointment to inspect requested records.

Records may be inspected in the Public Meeting Room at the principal office of the Library, at 10 West Cossitt Avenue, La Grange, Illinois 60525, unless the FOIA Officer determines that the bulk, daily government use, size, nature, or computerization of a record requires the requester to inspect the record at another location. For purposes of convenience, the Freedom of Information Officer may direct that the inspection take place at another office of the Library.



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## **Inspection and Copying of Records**

An employee of the Library may be present throughout the inspection. A requester may be prohibited from bringing bags, brief cases or other containers into the inspection room. Documents which the requester wishes to have copied shall be segregated during the course of the inspection. Generally, all copying shall be done by Library employees.

## **Person to Whom FOIA Requests Are to Be Submitted**

Requests for public records shall be submitted to:

Freedom of Information Officer  
La Grange Public Library  
10 West Cossitt Avenue  
La Grange, Illinois 60525  
[foia@lagrangelibrary.org](mailto:foia@lagrangelibrary.org)

## **Form and Content of FOIA Requests**

Requests for public records shall be in writing and addressed to Freedom of Information Officer. Oral requests for public records will not be accepted.

The requester shall provide the following information in a request for public records:

- The requester's full name, plus address, e-mail address, or telephone number.
- A description of the public records sought, being as specific as possible.
- A statement as to whether the request is for inspection of public records, copies of public records, or both.
- A statement of purpose, indicating whether the requester intends to use the records, or the information derived from those records, for sale, resale, solicitation, or advertisement for sales or services.
- A statement as to whether the requester is, or represents, news media or a non-profit, scientific or academic organization.
- A statement as to whether the records need to be certified.

## **Timelines for Freedom of Information Officer's Response**

The Freedom of Information Officer shall respond to a written request for public records within 5 working days after the receipt of such request pursuant to Section 3(d) of FOIA (5 ILCS 140/3(a)).

The Freedom of Information Officer will either comply with or deny a written request for public records within 5 working days after its receipt. The Freedom of Information Officer may extend the 5-day period for an additional 5 working days for any of the reasons specified in Section 3(e) (i through vii) of FOIA (5 ILCS 140/3 (e) (i-vii)). The Freedom of Information Officer will notify by letter the person making the written request, within 5 working days of receipt of the request, of the reasons for the delay and the date by which the records will be made available or denial will be forthcoming.

## **Commercial Requests**

A Request made with the intent to use the requested records (or the information derived from those records), in whole or in part, for sale, resale, or solicitation or advertisement for sales or services shall be considered a Commercial Request. However, a Request submitted by news media or by non-profit, scientific, or academic organizations will not be deemed to be made for commercial purposes if the principal purpose of the Request is (a) to access and disseminate information concerning news and current or passing events, (b) for articles of opinion or features of interest to the public, or (c) for the purpose of academic, scientific, or public research or education. The Freedom of Information Officer will either comply with or deny a commercial request for public records within 21 working days after its receipt.

## **Voluminous Requests**

If a request is determined to be a "voluminous request," the public body must notify the requester within 5 business days that the request is being treated as a voluminous request and the reasons it is being so

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treated, and provide the requester 10 business days to amend his or her request so that it is no longer a voluminous request. The requester is under no obligation to modify the request.

If the request continues to be voluminous or the requester fails to respond to the public body's initial notification, the public body shall respond to the voluminous request within 5 business days after (1) it receives the requester's response; or (2) the final day for the requester to respond to the initial notification. The public body's response to a voluminous request shall do one of the following:

- Deny the request;
- Provide the records requested;
- Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable portions;
- Extend the time to respond by 10 business days; or
- Provide an estimate of the fees to be charged.

## **Types of Responses to Request for Public Records**

The Freedom of Information Officer shall respond to a request for public information in writing, in one of three ways:

- Approve the request.
- Approve in part and deny in part.
- Deny the request.

The response shall be signed by the Freedom of Information Officer.

Upon approval of a request for public records, the Freedom of Information Officer shall either provide the materials immediately, give notice that materials shall be made available upon payment of reproduction costs, give notice of the time and place for inspection of records, or request that the requester contact the Freedom of Information Officer to schedule a time and place for the inspection of records.

Categorical requests considered by the Freedom of Information Officer to be unduly burdensome shall be denied pursuant to Section 3(g) of FOIA (5 ILCS 140/3 (g)). Before making this determination, the Freedom of Information Officer shall provide an opportunity to the requester to confer and reduce the request to manageable proportions. The Freedom of Information Officer shall consider a request to be unduly burdensome if the burden on the Library outweighs the public interest in the information. Repeated requests for the same public records by the same person shall be deemed unduly burdensome.

A denial of a request for public records shall be made in writing and shall state the reasons for the denial and the names and titles of the individuals responsible for the decision pursuant to Section 9 (a) of FOIA (5 ILCS 140/9 (a)). Denials of requests because they have been determined to be unduly burdensome shall also explain the extent to which compliance with the request would unduly burden the operations of the Library pursuant to Section 3(g) of FOIA (5 ILCS 140/3 (g)). Each notice of denial shall inform the requester of his/her right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor.

## **Copies of Public Records**

Copies of public records shall be provided to the requester only upon payment of any charges which are due, except as provided in this Rule. No fee will be charged for the first 50 black-and-white pages on letter or legal-size paper. Additional pages will be provided for 15 cents per page. Color or oversize copies will be provided at actual cost. No fee will be charged for records mailed via regular U.S. Mail service. Requests for additional mail services, such as express delivery or tracking, will be charged at the actual cost.

Charges shall be waived if the requester is a member of the General Assembly. Charges may be waived in any other case where the Freedom of Information Officer determines that the waiver serves the public interest pursuant to Section 6(c) of FOIA (5 ILCS 140/6(c)). A fee waiver or reduction will be considered to be in the public interest only if the principal purpose of the Request is to disseminate information



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regarding the public health, safety, and welfare or the legal rights of the general public. No fee waiver will be granted if the Request is for the principal purpose of personal or commercial benefit to the Requestor.

The Freedom of Information Officer will base this determination on the requester's ability to pay the charges and whether the requester's organization serves the citizens of Illinois as a whole.

## Fees for Voluminous Requests

The Library may charge fees for producing electronic records:

- PDFs: up to \$20 for up to 80 MB of data; up to \$40 for 80MB – 160 MB of data; up to \$100 for more than 160 MB of data.
- All other electronic records: up to \$20 for up to 2 MB of data; up to \$40 for up to 4 MB of data, and up to \$100 for more than 4MB of data.

These fees will still be charged even if the requester fails to accept or collect the records. If a requester does not pay a fee charged pursuant to Section 6 of FOIA, the debt shall be considered a debt due and owing to the Library and may be collected in accordance with applicable law. The Library will provide an accounting of all costs, fees and personnel hours in connection to the voluminous request for public records.

## **General Materials Available from the FOIA Officer**

The following materials shall be made available by the FOIA Officer without charge pursuant to Sections 4 and 5 of FOIA (5 ILCS 140/4 and 5):

- An organization chart and [staff contact information](#)
- [Library Board of Trustees](#) members and committees
- [Library Board meeting agendas and minutes](#)
- [Library Board policies](#)
- Annual budget of the Library;
- A brief description of the means for requesting information and public records; and
- A list of types and categories of public records maintained by the Library.

In the case of records that are published and maintained on the Library's website, the Library shall notify the requester that the public record is available online and direct the requester to the website where the record can be accessed. Requesters can re-submit a FOIA request for the record if they are unable to reasonably access the record.

## **Record Keeping**

Copies of all FOIA Requests, Responses, and Notices of Denial shall be maintained in a single central office file of the Library, as specified by the Director. Records shall be maintained for two years from date of filing, in accordance with Cook County Local Records Retention requirements. The file shall be open to public inspection and copying.