

Fremont Public Library District FOIA Policy

Approved 3.21.24

Fremont Public Library District is committed to providing citizens and taxpayers access to applicable public records under the Illinois Freedom of Information Act ("FOIA" or "the Act"). 5 ILCS 140/1 *et. seq.* FOIA is incorporated in this policy by reference. These Rules do not supersede the provisions of FOIA. If a provision of this Policy conflicts with FOIA, then the provisions of FOIA will govern.

The intent of this policy is to clarify the requirements and to assist staff in complying with both the letter and the spirit of the Act. The statutory provisions of the Act apply to all public records (as defined by FOIA) having been prepared by or for, or having been used or being used by, received by, in the possession of, or under the control of the Library in the transaction of public business. Public records will be made available during normal business hours for inspection or copying. The Library assures that a written request for public records will receive a response within the statutory time frames established in FOIA.

- I. A brief description of our public body is as follows:
 - a. Our Mission: Engage the Community – Inspire Creativity – Enrich Minds
 - b. Our website contains the most up-to-date information available about our Board, library policies, and financial position. Visit the Board page of our website at <https://fremontlibrary.org/board>
 - c. For financial information about the current and past years and an organizational chart, please see the FOIA & Transparency page of our website at <https://fremontlibrary.org/transparency>
 - i. Funding sources are property and personal replacement taxes, state and Federal grants, fees, charges, and donations. Tax levies are:
 1. Corporate purposes (for general operating expenditures)
 2. IMRF (provides for employee's pension and related expenses)
 3. Site and Building Maintenance
 - d. The office is located at this address: 1170 N. Midlothian Rd., Mundelein, IL 60060
 - e. We have approximately the following number of persons employed:
Full time: 25
Part time: 33
 - f. The following organization exercises control over our policies and procedures:
The Fremont Public Library District Board of Library Trustees, which meets on a regular schedule established in June of each year. Its seven members are listed at <https://fremontlibrary.org/board>
 - g. We are required to report and be answerable in our operations to:
Illinois State Library, Springfield, Illinois.
 - h. The Library's FOIA officer(s) are:
 - i. Library Director
 - ii. Assistant Director
 - iii. Business Manager

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- II. Information and records available to the public may be requested in the following manner:
 - a. The request must be in writing and may be submitted by fax, U.S. Mail, special carrier, email, or through the Library's website. While not a requirement, the Library provides a website to assist the requester in providing a description of the records being sought and other portions of the request.
 - b. Requests can be mailed to: FOIA Officer, Fremont Public Library District, 1170 N. Midlothian Rd., Mundelein, IL 60060.
 - c. The requester must specify the records requested to be disclosed for inspection or to be copied. If any records are to be certified, this certification must be specified for each document for which it is sought.
 - d. The Library may not require the requester to specify the reason or purpose of the request "except to determine whether the records are requested for a commercial purpose or whether to grant a request for a fee waiver." (5 ILCS 140/3(c)).
 - e. Legal counsel may be solicited to advise on the proper response to the request.
 - f. There is no requirement under the Act to respond to oral requests or to provide information other than what already exists in public records as defined by the Act.
- III. Within five business days of the receipt of a written request (21 days if the request is for a commercial purpose) the Library will respond with the requested records request an extension under the Act, or deny the request in writing. Denial of the request will occur if the public records requested fall into one of the specific exemptions in the Act or in those situations where the public body determines the requested records do not exist, or that it has no access to the requested records. If only part of the request is denied, the extent of the partial disclosure and partial denial will be stated in the response. Any denial will include a citation to the exemption claimed to authorize the denial and the specific reasons for the denial.
- IV. Denial of access by the FOIA Officer may be appealed to the Public Access Counselor (PAC) at the Office of the Illinois Attorney General in writing within 60 (sixty) days. The PAC may be contacted at (217) 299-3642, or 500 S. Second Street, Springfield, IL 62701.
- V. Records may be inspected or copied.
 - a. Inspections – if inspected, an employee must be present throughout the inspection. Records will be made available by appointment on weekdays, 9:00 A.M. – 5:00 P.M., excluding holidays. In response to requests for inspection, the Library will make records available for up to 30 days after which time, if the inspection has not occurred or mutually agreed upon arrangements have not been made, the Library will consider the request to be withdrawn.
 - b. Copies - Reimbursement for actual costs for reproducing and certifying (if requested) the records will be charged as follows.
 - No charge for the first 50 pages of records copied in black and white and in either letter or legal size
 - \$0.10 per page for copied records in excess of 50 pages in black and white and in either letter or legal size

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- The actual copying cost of color copies or documents in sizes other than letter or legal
- \$1.00 for certification of records

If the records are kept in electronic format, a specific format may be requested and, if feasible, they will be so provided, but if not, they will be provided either in the electronic format in which they are kept or in paper at the discretion of the requester. The Library will require payment for the cost of the actual medium only.

VI. Types of Records

- a. The following types or categories of records are maintained under control of the Library:
 - i. Monthly Financial Statements
 - ii. Annual Receipts and Disbursement Reports
 - iii. Budget and Appropriation Ordinances
 - iv. Levy Ordinances
 - v. Operating Budgets
 - vi. Annual Audits
 - vii. Minutes of the Library Board of Trustees
 - viii. Library Policies
 - ix. Annual Reports to the Illinois State Library