

HIGHLAND PARK PUBLIC LIBRARY

Policy 204 **Freedom of Information Act (FOIA)**

Purpose: To state the procedures how anyone may request to inspect and copy public records held by the Highland Park Public Library (“the Library”), and how the Library shall respond to such requests.

General Policy

The Library is subject to the Illinois Freedom of Information Act (“FOIA,” 5 ILCS 140 et seq.) Subject to FOIA, the Library permits access to and copying of public records according to the procedures and rules discussed below. The Library designates its Business Manager, and when absent its Executive Director, as the FOIA Officer. This Policy and the procedures stated in this Policy are intended to comply in all respects with the requirements of FOIA. In the event of any conflict between FOIA and this Policy and the procedures stated in this Policy, the provisions of FOIA control.

Procedures and Rules

A. Requesting Records

1. All requests for records must be in writing and should specify with particularity the requested records; whether they are for commercial purposes; whether they are to be inspected or copied and, if copied, whether the Library shall certify that they are true and correct; and contact information. Although not required, the Library prefers that requestors use Form 204 Request for Public Records to expedite the processing of the request.

2. Direct requests to:

- a) By mail:

FOIA Officer
Highland Park Public Library
494 Laurel Avenue
Highland Park, IL 60035

- b) By email to: “Library-Administration@hplibrary.org”, and in the subject line indicate “FOIA REQUEST.”
- c) By fax to: 847-681-7021
- d) Though requests must be in writing, the FOIA Officer may be reached by telephone at 847-432-0216 during the Business Office’s normal hours from 9 a.m. to 5 p.m., Monday through Friday.

B. Responding to Requests for Records

The FOIA Officer will respond in writing to requests within five (5) business days of receipt, or twenty-one (21) business days for commercial requests. “Business days” are Mondays through Fridays, exclusive of Library holidays or unforeseen closures. In response, the FOIA Officer may state, among other things:

1. The records are available for inspection or copying at the Library.
2. The request is unduly burdensome and offers the requestor an opportunity to confer with the FOIA Officer in an attempt to reduce the request to a manageable proportion.
 - a) The non-commercial request cannot be fulfilled within five (5) business days and that it will be responded to within an additional five (5) business days indicating the reason for the extension as set forth in 5 ILCS 140/3(e).
 - b) Deny the request in writing, in whole or in part, and:
 - i. State the specific basis for denial and
 - ii. Retain a copy in a central file, indexed according to the type of exception asserted and according to the type of record(s) requested (to the extent feasible).

3. Right to Appeal

Any denial shall also indicate that the requestor has the right:

- a) To file an administrative Request for Review, by letter addressed to the Public Access Counselor at the Office of the Illinois Attorney General, within sixty (60) calendar days of the date of denial, per FOIA Section 9, and
- b) To seek judicial review by filing suit for injunctive or declaratory relief in state circuit court, pursuant to FOIA Section 11.

4. Exempt Records/Partial Denial

If any public record exempt from disclosure contains any material that is not exempt, the material shall be separated or redacted, and the non-exempt material disclosed. The FOIA Officer shall note the record exemption(s) in writing.

5. Retrieval and Copying

Only Library employees designated by the Executive Director or their designee (“Executive Director”) or Library Board of Trustees (“Board”) are permitted to retrieve and copy records.

6. Inspection of Records

Inspection of records shall be done only in the presence of a Library employee designated by the Executive Director or Board.

7. Fees

- a) Fees for copies of records are due in advance, payable either in cash, by cashier’s check, or by money order.

b) The schedule of fees is as follows:

- i. Copies – black and white, letter or legal sized
 - 1) First 50 pages (sides of a leaf) Free
 - 2) Each additional page \$0.15
 - 3) Certification \$1.00 per page
- ii. Color or non-standard size copies-Actual cost
- iii. Electronic copies – Actual Cost of the recording medium
- iv. Mailing – Cost of postage

c) Fee waiver or reduction

- i. If the requestor states that the request is not for a commercial purpose and asks that the fee be waived or reduced, the Executive Director, after inquiry, may waive or reduce the fee if the reason for the request falls within the parameters of FOIA Section 6(c).
- ii. If the requestor wishes to appeal the Executive Director's decision, such appeal must be made in writing to the Board.

Questions

All questions regarding the Library's FOIA policy and access to public records held by the Library should be addressed to the Library's FOIA Officer, the Executive Director, or the President of the Board.

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