

## SUBJECT: FREEDOM OF INFORMATION

## I. PURPOSE

“The Illinois Freedom of Information Act provides that “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 this Act. Such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring government to ensure that it is being conducted in the public interest.” 5 ILCS 140/1(1).

Naperville Public Library is committed to providing citizens and taxpayers access to applicable public records under the Act. The intent of this policy is to clarify the requirements and to assist staff in the compliance of both the letter and the spirit of the Act. The intent of the Act is not to violate individual privacy, nor to further commercial enterprise, nor to disrupt the work of any public body. The spirit of the Act is to minimize the restraints of information access by limiting exceptions to the general rule that the people have a right to know the decisions, policies, procedures, rules, standards and other aspects of government activity that affect the conduct of government and the lives of any or all of the people.

## II. SCOPE

This statutory provision applies to all information collected, assembled, or maintained by a public body in the course of its official business that is to be made available during normal business hours for inspection or copying. It assures that a request for information will receive a timely response and allows the organization to recoup any production costs incurred by supplying the response, in accordance with statutory guidelines.

## III. PROVISIONS

The Naperville Public Library is a municipal library supported primarily by local property taxes and employs approximately 260 employees (177.5 FTE). The purpose of the Library is to provide materials and services for the recreational, social, informational, and educational needs of the community.

A. The Library’s operating budget for FY14-15 is \$16,411,700. Funding sources are property and personal property replacement taxes, the state Per Capita Grant, investments, fines, and fees. Tax levies are for corporate purposes (general operating expenditures).

B. Naperville Public Library has three locations:

1. Nichols Library, 200 W. Jefferson, Naperville IL 60540
2. Naper Blvd. Library, 2035 S. Naper Blvd., Naperville IL 60565
3. The Ninety-Fifth Street Library, 3015 Cedar Glade Dr., Naperville IL 60564
4. The Office of the Director is located at the Nichols Library.

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- C. The Naperville Public Library Board of Library Trustees is a governing board, appointed by the Mayor and City Council. Illinois Statutes dictate a library board's responsibilities that include control over the library's budget, policies and procedures. The Board meets the third Wednesday of each month, 7 p.m., at the Nichols Library.
- D. The Library is required to report and be answerable for our operations to: Illinois State Library, Springfield, Illinois. Its members are: State Librarian, Jesse White (Secretary of State); Director of State Library, Anne Craig; and various other staff.
- E. Attachments include:
1. Organizational Chart
  2. Calendar of regular meeting of the Board of Trustees
  3. List of current members of the Board of Trustees
- F. Information and records available to the public may be requested in the following manner:
1. The request must be in writing and may be submitted by facsimile, U.S. mail, special carrier, or email or through the Library's website. Forms are available at each of the Library facilities as well as the website. While not a requirement, the form is intended to assist the requester in the specifics of the request. There is no requirement under the Act to respond to oral requests or to provide information other than what already exists in records.
  2. Requests are to be directed to the Office of the Director, Nichols Library, 200 W. Jefferson, Naperville IL 60540, weekdays 9 a.m. through 5 p.m. excluding holidays. Requests received after 5 p.m. will be dated as being received on the next consecutive business day.
  3. The request will be forwarded to the FOIA officer - Human Resources/Organizational Development Manager at Naper Blvd Library, 2035 S. Naper Blvd, Naperville IL 60565.
  4. The request must specify the records requested to be disclosed for inspection or to be copied. If any records are to be certified, they must be specified.
  5. 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."
  6. Legal counsel may be solicited to advise on the proper response to the request.
- G. Within five business days of the receipt of a written request (21 days if the request is for commercial purposes) the Library will respond with the requested records or information regarding access to the 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 within one of the specific exemptions of the Act or in those situations where the public body does not have either a right of access or ownership of the information. If only part of the request is denied and access will be given to the remainder, it will be stated in the response. Any

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denial will include the reason or exemption. The person making the request will also be notified of the right to appeal the denial to the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. Contact information will be provided in the denial letter.

- H. 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 sixty (60) days.
- I. Records may be inspected or copied.
  - 1. Inspections – If inspected, an employee must be present throughout the inspection.
    - a. Records will be made available by appointment on weekdays, 9:00 a.m. to 5:00 p.m., excluding holidays.
    - b. 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 a mutually agreed upon arrangement has not been made, the Library will consider the request to be withdrawn.
  - 2. Copies – Reimbursement for actual costs for reproducing and certifying (if requested) the records will be charged as follows:
    - a. No charge for the first 50 pages of records copied in black and white and in either letter or legal size
    - b. \$.10 per page for copied records in excess of 50 pages in black and white and in either letter or legal size
    - c. The actual copying cost of color copies or documents in sizes other than letter or legal
    - d. \$1.00 for certification of records
  - 3. 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 requestor. The Library will require payment for the actual cost of the medium only.
- J. Certain types of information maintained by the Library are exempt from inspection and copying. However, the following types or categories of records are maintained and available for public viewing:
  - 1. Monthly Financial Statements
  - 2. Budget Levy Resolutions
  - 3. Operating Budgets
  - 4. Annual Audits
  - 5. Minutes of the Board of Library Trustees that have been approved and released
  - 6. Library Policies
  - 7. Annual Reports to the Illinois State Library