



Community Consolidated School District 157-C

Freedom of Information Act

Effective January 1, 2010, the Freedom of Information Act (FOIA) was amended and updated by the Illinois General Assembly. Several significant changes have occurred to FOIA, and this memo is being provided to highlight some of those changes as they affect the general public and the applicable public bodies. This memo is not intended to be all-inclusive, or to be providing legal advice or comment on legislative intent, but rather to highlight some of the changes and how they affect the process of requesting information under FOIA and receiving information back from a public body in response to a FOIA request.

- The new FOIA requires that all public bodies designate one or more officials or employees to act as a FOIA Officer(s). All FOIA requests should be directed to their attention if possible, and it is their charge to receive any FOIA requests, coordinate a response to the request and assist in the preparation of any information, files, documents, etc., while conferring with the Illinois Attorney General's Public Access Counselor and local Legal Counsel, as necessary. They are to ensure that responses are completed in a timely manner, and they should develop lists of documents and records with their locations, as appropriate, that are readily available for inspection to be viewed immediately upon request (ie, documents, records or information that may be part of an existing public record and published or available on a web site or on file internally or with an agency. As an example, such documents might include budgets, annual financial reports, audited financial statements, annual statements of affairs, teacher service records, etc. that are available through school district files/websites, as well as State or Federal agency files/webs sites, when applicable). These FOIA Officers must complete on-line training annually, and new FOIA officers must complete their initial training within 30 days after being assigned the job. **Frankfort School District's FOIA Officers are Curtis Saindon, Assistant Superintendent for Finance and Operations and Sandy Pechtold, Executive Assistant for Business Services.** All FOIA requests may be mailed to them at 10482 W. Nebraska Street, Frankfort, IL 60423, faxed to 815-469-8988, or e-mailed to both csaindon@fsd157c.org and spechtold@fsd157c.org. Please send all requests to both their attention, and in the event one is not immediately available the other will respond to the FOIA accordingly.

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- While Frankfort School District does not require the completion of a standard form to file a FOIA request, all requests must be in writing (please do not leave a voicemail with a verbal request for records) and can be hand delivered, mailed, faxed or e-mailed to the District Office as described previously. **Please be as clear and specific as possible when describing the records you are requesting.** If you know the official name of the record or document you are requesting please state it. If you know the time period of the record or document you are requesting please state it. If you do not know the name of the record or document, or if you are not sure if it even exists, then please describe what you are looking for in sufficient detail so that we may be able to analyze and understand your request. Incomplete, vague or confusing requests will be followed up for clarification and/or more information by the FOIA Officer, but this may delay the processing of your request. Please also state how/where the response and associated documents may be sent, or if you are wanting to personally inspect the documents how/where we can contact you to set up a time for inspection, as well as how we can contact you if we have any questions. To speed up the process, be environmentally friendly and save paper, we would suggest leaving a phone number and/or e-mail address where questions and responses can be directed. Finally, please be sure to state your name on the request along with any other pertinent information.
- If you have any general questions about the process you can call the District Office and ask for Mr. Saindon or Mrs. Pechtold at 815-469-5922. Additionally, the Illinois Attorney General's Public Access Counselor can be contacted at 217-782-1090 or 312-814-3000.
- There is no copy fee for the first 50 pages of black and white, letter or legal sized copies made in response to a FOIA request. Beyond the first 50 pages a charge of \$.15 per page for all black and white, legal or letter sized pages will be charged. Additionally, any color copies or copies of different size pages will be charged at cost (estimated to be \$.15 per page), and any mailing costs will also be charged. Staff time in compiling, copying and mailing the requested documents are not reimbursable and will not be included in the cost as provided for in the legislation. You are permitted to ask for a complete waiver of copying fees, but you must explain why such a waiver should be granted as provided for in the legislation. By allowing for records to be sent electronically (presumably via e-mail), you may be able to avoid copying charges and also speed up the receipt of the requested records.

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- The Illinois Attorney General's Public Access Counselor will not only provide training to FOIA Officers and respond to general public inquiries, but he/she will also mediate disputes, review denials, release advisory opinions and issue binding opinions from time to time, to ensure that FOIA requests are being handled in accordance with the law.
- All FOIA requests should be responded to within 5 business days of receipt, and extensions may be requested by the public body under certain circumstances.
- Certain private and personal information may be exempt from disclosure, as may some drafts, notes, tests, minutes, attorney-client privileged information and other information as described and explained in the legislation. Denials by a public body should state the reason for the denial and reference the exemption being claimed, as applicable. Public bodies may also deny a request if it is deemed to be unduly burdensome, a repeated request from the same person/entity for the same information, or an identical request to previously provided information.
- It is our goal to provide all required records and ensure the open and transparent operation of Frankfort School District #157-C, and we will strive to respond to all FOIA requests in a timely manner. We understand that it is a fundamental obligation of government to operate openly and provide public records in a timely manner to help ensure honest and open government. To that end, we are ready and willing to work with our constituency and the public to provide those records in accordance with the guidelines laid out in the Freedom of Information Act.