

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 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 Section 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 written request for information will receive a timely response and allows the organization to recoup any production costs incurred by supplying the response.

III. PROVISIONS

The Naperville Public Library is a municipal library supported primarily by local property taxes.

A. The Library’s operating budget for FY09-10 is \$15,748,307. Funding sources are property and personal property replacement taxes, the state Per Capita Grant, investments, fines, and fees. (Other state, federal, corporate, and private grants, as well as gifts are handled out of the Gift/Memorial Fund.) Tax levies are for:

1. Corporate purposes (general operating expenditures)
2. IMRF (employee’s retirement and related expenses)
3. Social Security (employee’s FICA costs and related expenses)
4. Audit
5. Maintenance (maintaining the buildings and equipment)
6. Tort Liability (insurance premiums, unemployment and worker’s compensation insurance, risk management, attorney’s fees and related expenses)

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- 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.
- C. The Naperville Public Library Board of Library Trustees is a governing board, appointed by the Mayor and City Council. Illinois Statutes dictate the 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. Table of organization
 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 may be submitted by facsimile, U.S. mail, special carrier, or email. (A sample form is attached to indicate that all required information is included in the request ensuring proper compliance with the requirements of the Act.) 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 Assistant Director for Administrative Services, FOIA officer, Administrative Office, at the Nichols Library, 200 W. Jefferson, Naperville IL 60540, weekdays 9 a.m. through 5 p.m. excluding holidays. Requests received after 3 p.m. will be dated as being received on the next consecutive business day.
 3. 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. Legal counsel may be solicited to advise as to the proper response to the request.

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- G. Within seven days of the receipt of a written request in the Administrative Office, the Library will respond with information regarding access to the information, 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 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 Executive Director.
- H. Denial of access by the FOIA officer may be appealed to the Executive Director in writing within fourteen days. Upon receipt of an appeal, the Director will review the public record, determine whether the record is open to public inspection, and respond in writing to the appeal within seven working 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 at Nichols Library, in the Office of the Director.
 - 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
 - b. \$.10 per page for copied records in excess of 50 pages
 - c. No charge for electronic transmittals (email)
 - d. \$1.00 per page for certification of records
- 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 Budget
 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
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NAPERVILLE PUBLIC LIBRARY REQUEST FORM

Requestor's Name (or business name, if applicable)		Date of Request	Phone number
Street Address		Copy? (\$.10/pg over 50)	Certification requested? (\$1.00/document)
		Inspection only?	
City	State	Zip	
Description of Records Requested: _____ _____ _____ _____			
Signature of Requestor: _____			

Library Response (Requestor does not fill in below this line)

A P P R O V E D	<input type="checkbox"/>	The documents you requested are enclosed.
	<input type="checkbox"/>	The documents will be made available upon payment of copying costs \$_____.
	<input type="checkbox"/>	You may inspect the records at _____ on the date of _____
D E N I E D	<input type="checkbox"/>	The request creates an undue burden on the public body in accordance with Section 3(f) of the Freedom of Information Act, and we are unable to negotiate a more reasonable request.
	<input type="checkbox"/>	The materials requested are exempt under Section 7 of the Freedom of Information Act for the following reasons: _____ _____ Individual(s) that determined request to be denied: _____
	<input type="checkbox"/>	Request delayed, for the following reasons (in accordance with 3(d) of the FOIA):_____. You will be notified by the date of _____ as to the action taken on your request.
	<input type="checkbox"/>	This action may be appealed to the Library Director in writing within 14 working days, that is no later than _____.
The information required by this form is MANDATORY in order to comply with 5 ILCS 140/1. Failure to so provide may result in this form not being processed.		

FOIA Officer	Date of Reply
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Approved: 2/7/01; Approved: 8/6/03; Approved: 7/28/04;
 Approved: 8/16/06; Approved: 8/15/07; Approved: 7/15/09