

fiscal year. Should a substantial operating deficit (expected total revenues less projected expenditures including debt service) occur or be reasonably foreseen, the Trustees will direct the Administrative Librarian to produce a financial plan which, through deliberate and planned expense reductions, will act to restore the targeted cash balance within two fiscal year periods.

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Article XVIII. Freedom of Information Act

The *Freedom of Information Act* (FOIA) is a state statute that provides the public the right to access government documents and records. The premise behind FOIA is that the public has a right to know what the government is doing. The law provides that a person can ask a public body for a copy of its records on a specific subject and the public body must provide those records, unless there is an exemption in the statute that protects those records from disclosure (for example: Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act [75 ILCS 70/1 et. seq.] *see* [5 ILCS 140/7.5(b)]).

FOIA Request Procedures

Information and records available to the public may be requested in the following manner:

- All requests should be in written form.
- A request form is available at the Library, 17917 Dixie Highway, Homewood, Illinois, 60430, weekdays 10:00 a.m. – 5:00 p.m., excluding holidays; it is also available online at <http://www.homewoodlibrary.org/>. A requester is not required to use the Library's request form, but its use is preferred since it will enable the Library to process the request promptly and properly.
- The request must be completed legibly.
- There is no requirement under the FOIA for the Library to provide information other than what already exists in our records.
- 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 in the request. The requester may be consulted to clarify what records are being requested and what records are to be certified.
- Legal counsel may be consulted to advise the Library as to the proper response to the request.

- 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.”
- The request is to be given to the FOIA Officer, 17917 Dixie Highway, Homewood, Illinois, 60430. The Board will designate an appropriate employee(s) to be the FOIA Officer.
- Requests received after 3 p.m. will be dated as being received on the next consecutive business day.
- Within five (5) business days of receipt of a written request, the Library will respond with information regarding: access to the information, extension of response time under the Act or denial of the request in writing.
- The Library will, within the initial five (5) day period, notify the requester of the reason(s) and the date by which the documents will be available.
- One (1) extension of an additional five (5) business days may be used by the Library if:
 - The requested information is stored at a different location;
 - The request requires the collection of a substantial number of documents;
 - The request requires an extensive search;
 - The requested records have not been located and require additional effort to find;
 - The requested records need to be reviewed by staff who can determine whether the records are exempt from FOIA;
 - The requested records cannot be produced without unduly burdening the Library or interfering with our operations; or
 - The request requires the Library to consult with another public body that has substantial interest in the subject matter of the request.
- Denial of the request will occur if the public records requested fall within one of the specific exemptions of the FOIA or in those situations where the Library 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, this will be stated in the response.
- Denial of the request by the Library may be appealed to the Illinois Public Access Counselor (“PAC”) in writing not later than sixty (60) days after the denial. The requester can file a Request for Review with the PAC by writing to:

Public Access Counselor
 Office of the Attorney General
 500 South 2nd Street
 Springfield, Illinois 62706
 Fax: 217-782-1396 Email: publicaccess@atg.state.il.us

- Denial of the request by the Library may also be judicially reviewed; a lawsuit may be filed in the Circuit Court of Cook County, Illinois. [5 ILCS 140/11].
- Records may be inspected or copied. If records are inspected, a Library employee must be present throughout the inspection.
- The Board will establish and post a schedule of fees for copying records, production of documents and certification of records. Any and all fees will be consistent with the FOIA.
- Records will be made available by appointment on weekdays, 10:00 a.m. to 5:00 p.m., excluding holidays, at the Library, 17917 Dixie Highway, Homewood, Illinois, 60430.
- Certain types of information maintained by the Library are exempt from inspection and copying. However, the following documents or categories of records are maintained and available for public viewing and will be disclosed upon request:
 - Monthly financial statements.
 - Budget levy resolutions.
 - Operating budget.
 - Annual audits.
 - Minutes of the Library Board that have been approved and minutes of closed meetings that have been released.
 - Library ordinances, resolutions and policies.
 - Annual Reports to the Illinois State Library.
 - A block diagram giving the Library's functional subdivisions.

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