

Freedom of Information Act

Under the Illinois Freedom of Information Act (5 ILCS 140), records in possession of public agencies may be accessed by the public upon written request. Pursuant to 5 ILCS 140, Section 2(c), "Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body.

"Public records" includes, but is expressly not limited to: (i) administrative manuals, procedural rules, and instructions to staff, unless exempted by Section 7(p) of this Act; (ii) final opinions and orders made in the adjudication of cases, except an educational institution's adjudication of student or employee grievance or disciplinary cases; (iii) substantive rules; (iv) statements and interpretations of policy which have been adopted by a public body; (v) final planning policies, recommendations, and decisions; (vi) factual reports, inspection reports, and studies whether prepared by or for the public body; (vii) all information in any account, voucher, or contract dealing with the receipt or expenditure of public or other funds of public bodies; (viii) the names, salaries, titles, and dates of employment of all employees and officers of public bodies; (ix) materials containing opinions concerning the rights of the state, the public, a subdivision of state or a local government, or of any private persons; (x) the name of every official and the final records of voting in all proceedings of public bodies; (xi) applications for any contract, permit, grant, or agreement except as exempted from disclosure by subsection (g) of Section 7 of this Act.

RULES, REGULATIONS, AND PROCEDURES

All public records maintained in the Will County Regional Superintendent of Schools Office shall be made available to any person for inspection, copying, and certifying as provided in the following rules, regulations, and procedures adopted by the Regional Superintendent of Schools with the exceptions as referred to in rule #6.

1. Definitions pertaining to these rules, regulations and procedures shall be those as provided in the Illinois Revised Statutes, Chapter 5, ILCS 140/3.
2. All requests for the inspection or copying of the above referred to public records shall be submitted in writing to the Regional Superintendent either by fax or mailed to the Regional Superintendent of Schools office located at 702 W. Maple Street, New Lenox, IL 60451 during regular office hours. A form is also provided for one to make a request for records.
3. All requests for inspection or copying of such public records shall be approved or denied within 5 business days after receipt of the request, except in unusual cases referred to in Rule #4. The 5-day limit referred to in Rule #3 may be extended for not more than five additional working days for any of the following reasons:
 - (a) the requested records are stored in whole or in part at other locations than the office having charge of the requested records;
 - (b) the request requires the collection of a substantial number of specified records;
 - (c) the request is couched in categorical terms and requires an extensive search for the records responsive to it;

- (d) the requested records have not been located in the course of routine search and additional efforts are being made to locate them;
- (e) the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of this Act or should be revealed only with appropriate deletions;
- (f) the request for records cannot be complied with by the public body within the time limits prescribed by paragraph (c) of this Section without unduly burdening or interfering with the operations of the public body;
- (g) there is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

Notice of such extension shall be conveyed by mail to the person making the request within the five-day time limit referred to in Rule #3. Notice shall include the reasons for the delay and the date by which the records will be made available or a denial will be forthcoming. In no instance may the delay be longer than five working days.

4. Requests calling for all records falling within a category will be complied with unless compliance with the request would be unduly burdensome to the Regional Superintendent's office. Before invoking this exemption, a representative of the office shall confer with the person making the request in an attempt to reduce the request to manageable proportions. If this office responds to a categorical request by stating that compliance would unduly burden its operation, it shall do so in writing.

5. Records exempt from inspection and copying are those referred to in the Illinois Revised Statutes, 5 ILCS 140 Section 7 of Act 140.

6. Any person denied access to inspect or copy any public records in this office may appeal the denial by filing a request for review with the Public Access Counselor not later than 60 days after the date of the final denial. The request for review must be in writing, signed by the requester, and include a copy of the request for access to records and any responses from the public body. The Public Access Counselor is part of the Public Access Bureau in the Attorney General's office. Public Access Bureau, 500 S. 2nd Street, Springfield Illinois 62706, Ph. 217-558-0486.

7. Fees for copying and certifying the public records referred to in these rules shall be charged as indicated in the schedule listed below.

8. All rules, regulations, and procedures hereby enumerated, referred to, or implied shall be in conformance with the provisions of "The Freedom of Information Act," Illinois Revised Statutes, Chapter 5, ILCS 140/3.

FEE STRUCTURE

- No fees for the first 50 pages of black and white
- Fees for additional pages will not be more than 15 cents per page
- A fee of \$1.00 will be charged for certifying records
- The actual cost for recording medium, whether disc, diskette, tape or other medium will be charged.

Will County Regional Office of Education
702 W. Maple Street
New Lenox, IL 60451
Phone: 815/740-8360
Fax: 815/740-4788

FREEDOM OF INFORMATION ACT REQUEST FOR PUBLIC RECORDS

From:

Name (Print)

Address (Print)

City, State, Zip (Print)

Phone Number

Description of requested record(s):

Please indicate if you wish to inspect the above-captioned records or wish a copy of them.

_____ Inspection

_____ Copy

_____ Both

_____ Indicate which records are to be certified by placing an * prior to the description of the requested record.

_____ Please check if this request for records is being made for a commercial purpose. Section 2 of the Freedom of Information act states: "Commercial purpose means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation of advertisement for sales or services. For purposes of this definition, requests made by news media and nonprofit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of this request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education. Section 3.1 states: "It is a violation of this Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the public body."

Please check if a fee waiver or reduction is being requested. Section 6 of the Freedom of Information Act states: "Documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit."

Please indicate your reason for requesting a fee waiver:

For Office Use Only:

Date Response Due: _____ Date Response Made: _____

Copies Made: _____ How Many: _____ Cost: _____

Time Taken to Fill Request (Hours): _____

Extension to: _____
Date

Extension Notice Sent: _____
(attach copy) Date

Denied: _____
(attach copy) Date

(Signature of Employee Responding)