

POL.A.01.01 - Freedom of Information Act Policy

The Park District of Oak Park recognizes its obligation under the Illinois Freedom of Information Act (FOIA) to permit any person to inspect and/or copy most public records of the District after making a written request. At the direction of the Board of Park Commissioners, the staff of the District has interpreted FOIA liberally in favor of persons requesting access to the District's records. However, this approach has resulted in the District's relatively small staff repeatedly being overburdened by numerous requests for voluminous records by a small number of individuals. Unlike larger units of government, the Park District has no freedom of information officer whose sole responsibility is to respond to FOIA requests. As a result, the Executive Director or other members of the District's staff must take time away from their other duties to respond to FOIA requests.

The Board of Park Commissioners has determined that the following policies and procedures strike a proper balance between the taxpayers' need for access to public records, the privacy interests of persons to whom the records may refer, and the public interest in efficient and effective government:

- The Executive Director has authority to appoint a staff member to serve as the FOIA Officer for the District.
- Only the Freedom of Information Officer or his/her designee may respond to requests for public records of the District. Any member of the Park Board or employee of the District who receives a request for a public record of the District, including a complaint, comment or opinion of a resident submitted to that Park Commissioner or employee in his/her official capacity, shall immediately refer the request to the FOIA Officer.
- All requests to inspect and/or copy public records of the Park District must be in writing. Request forms are available from the Park District's Administrative Office at 218 Madison St Oak Park, Illinois and on the website www.pdop.org.
- All requests must specify the records to be inspected or copied with reasonable particularity in order to avoid inefficient use of staff time in retrieving records and making them available for inspection and/or copying.
- The FOIA Officer or his/her designee will respond in writing to all requests for public records within the time limitations set by FOIA. The Park District will respond to such requests in the order in which they are received.
- The Park District will produce for inspection any requested public record that is not exempt from disclosure under the Freedom of Information Act. Examples of records that are exempt include, but are not limited to, the following:
 - a. "Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." This exemption includes personnel files of Park District employees.
 - b. "Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated," unless that record "has been publicly cited and identified by" the Board of Park Commissioners.
 - c. Proposals and bids for any contract or grant, until awarded.

d. "Minutes of meetings of public bodies closed to the public as provided by the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act." Section 2.06 allows, but does not require, the Park Board to release minutes of closed sessions after conducting a semi-annual review of such minutes and concluding that it is no longer necessary to keep the minutes confidential. Minutes of meetings held in open session are not public records, and will not be produced for inspection, until they are approved by the Board of Park Commissioners.

e. Privileged communications between the Park District "and an attorney or auditor representing the public body," in which legal or accounting advice or opinions are requested or furnished.

- The Board of Park Commissioners hereby finds that production for inspection of public records consisting of a complaint, comment or opinion of a resident of the District would constitute a clearly unwarranted invasion of the personal privacy of any such resident. The Park District therefore will disclose any such record only after deleting the name, address and telephone number of the resident and any other personal identifying information. This policy does not apply to open session minutes of meetings of the Board of Park Commissioners, which will be made available for inspection and/or copying in their entirety.
- As permitted by FOIA, the Park District may deny a request for public records if "compliance with the request would be unduly burdensome and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information." Before invoking this exemption, the Freedom of Information Officer or his/her designee "shall extend to the person making the request an opportunity to confer with [the Officer] in an attempt to reduce the request to manageable proportions."
- The Park District will deem as unduly burdensome repeated requests for the same public records by the same person or by members of the same organization or group.
- The Park District will make public records available for inspection pursuant to this policy at the Hedges Administration Center, 218 Madison St Oak Park, Illinois on Monday through Friday, except holidays, between 8:30 a.m. and 4:30 p.m. by appointment with the Freedom of Information Officer or his/her designee. A representative of the Park District will remain present during all inspections of public records.
- Original public records may not be removed from the Hedges Administrative Center. Persons inspecting public records of the Park District shall not alter, deface or destroy any public record.
- The Park District will not permit inspection of public records that are in immediate use by Park District employees performing official duties that require use of those records.
- Upon request, the Park District will make a copy of any public record that is not exempt from disclosure under FOIA or this policy. Again upon request, the Park District also will certify any such copy. In order to recover the actual cost of reproducing and certifying copies of public records, including staff time expended in performing these tasks, the Park District will charge 25 cents per side of a page copied for each page after the first 50. A rate of 50 cents per side for a certified copy. Prior to copying any public records, the Park District will inform the requesting party of the amount to be charged. The Park

District will copy the requested records only after receipt of payment of this amount.

- A person who wishes to have a public record copied without charge or at a reduced charge shall request a fee waiver or reduction as part of his/her written request to have the record copied. The request for a fee waiver or reduction must state the specific purpose for which the public record is being requested, and must demonstrate how and why the principal purpose of the request is to promote the public interest by accessing and disseminating information regarding the health, safety and welfare or the legal rights of the general public and not to promote personal or commercial benefit. In determining whether to grant a fee waiver or reduction, the Freedom of Information Officer will consider:
 - a. the amount of materials requested;
 - b. the cost of copying the materials requested;
 - c. the extent to which the written request for copies demonstrates that a fee waiver or reduction is, in fact, in the public interest;
 - d. any other relevant facts.
- A person who has made a written request to inspect and/or copy public records of the Park District may appeal in writing to the Board of Park Commissioners within ten (10) business days if:
 - a. The Freedom of Information Officer or his/her designee denies the request in whole or in part;
 - b. The Freedom of Information Officer or his/her designee states in writing to the requesting party that responding to the request would be unduly burdensome; or
 - c. The Freedom of Information Officer fails to respond in writing to the request within the time limitations set by FOIA. The Board of Park Commissioners shall respond to any such appeal within seven (7) business days.