

Board of Education

Administrative Regulations

Illinois Freedom of Information Act

I. Definitions

- A. "Public body" means a school district including boards, commissions, committees, advisory groups or other subsidiary bodies of District 203.
- B. "Head of the public body" means the chief executive officer of the school district.
- C. "Person" means an individual or a corporation, partnership, firm, organization or association.
- D. "Copying" means reproduction by means of any photographic, electronic, mechanical or other process, device or means.
- E. "Public Records"

1. Physical Form

Includes all writings, maps, photographs, microfilm, cards, tapes, recordings, electronic data processing records and all other documentary materials, regardless of physical form, that were prepared or are used by or under the control of District 203.

2. Categories of Public Records

Includes, but is not limited to, the following categories of records:

- a. administrative manuals, procedural rules and instructions to staff;
- b. final opinions and orders, except adjudication of student or employee grievances or disciplinary cases;
- c. policies adopted and interpretations thereof made by District 203;
- d. final planning documents;
- e. final reports and studies prepared by or for District 203, but excluding reports and studies prepared for internal use by staff;
- f. all information concerning expenditure of public funds,
- g. names, salaries, titles and dates of employment of all district employees and officers;
- h. materials containing opinions concerning the rights of public bodies or private persons, but excluding legal opinions and other documents prepared for the exclusive use of the public body which are privileged by law;

- i. name of every official and final records of voting in all proceedings;
- j. information concerning grants or contracts made by a public body and applications for a grant, contract or permit, except those specifically exempted under the Act;
- k. each report, document, study or publication prepared by independent consultants for the public body; and
- l. all other information required by law to be made available for public inspection and copying.

II. Request to Inspect or Copy Records

A. Form and Scope of Request

1. A request to inspect or copy records shall be made by any person in writing on the form furnished by District 203.
2. The request shall specify the particular record(s) to be inspected or copied.
3. The request may include a request of certification of a copy of a record.

B. Responses to Request

1. Time and Response

- a. District 203 shall comply with or deny a written request within seven (7) working days after its receipt, except that:
- b. an additional seven (7) working days are available for response if:
 - 1) records are stored at another location;
 - 2) a substantial number of records must be collected;
 - 3) the request is categorical in nature and requires an extensive search;
 - 4) after a search, the records cannot be located;
 - 5) an evaluation by a competent person is required to determine whether the records are exempt under Section 7 of the Act as set out in IV below;
 - 6) timely compliance would be an undue burden or interfere with regular operation of the entity; or
 - 7) there is need for consultation with another public body which has a substantial interest in the determination or in the subject matter of the request.

If additional time is required for any of the above reasons, the requester shall be so notified, via Form No. 5, within seven (7) working days of receipt of the request.

2. Effect of Failure to Respond

A failure to respond within the time specified shall be considered a denial of the

request.

3. Charges for Copies and Certification

District 203 shall require a copy fee of \$.35 per page for the first ten(10) pages; \$.25 per page for 11-25 pages; and \$.10 per page beyond 25 pages. No charge shall be made for staff time expended for search or review of records.

COPY FEES WILL BE WAIVED OR LOWERED IF THE PERSON MAKING THE REQUEST STATES A SPECIFIC PURPOSE FOR THE REQUEST WHICH IS IN THE PUBLIC INTEREST. A REQUEST IS IN THE PUBLIC INTEREST IF ITS PURPOSE 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. "COMMERCIAL BENEFIT" DOES NOT APPLY TO NEWS MEDIA REQUESTS. IN SETTING THE AMOUNT OF THE WAIVER OR REDUCTION, THE SUPERINTENDENT MAY CONSIDER THE AMOUNT OF MATERIALS REQUESTED AND THE COST OF COPYING THEM.

4. Denial of Request

a. Formal Request

The requester shall be notified by letter of:

- 1) the decision to deny;
- 2) the reason for denial and, if on account of an exemption, the exemption on which denial is based;
- 3) the name and title of each person responsible for the denial; and
- 4) the requester's right to appeal to the Superintendent of Schools.

Copies of all denial notices shall be retained in a central file open to the public and indexed by exemption and, to the extent feasible, by type of record requested.

b. De Facto Denial

The following shall be treated as a denial:

- 1) failure of the entity to make timely response; or
- 2) willful imposition of excessive fees; or
- 3) final notification that request is unduly burdensome.

5. Appeal From Denial

Any person denied opportunity to inspect or copy a record may appeal that decision by a written notice of appeal to the Superintendent of Schools within thirty (30) days after notice of denial is issued. The Superintendent of Schools shall review the appeal and notify the party of the decision within seven (7) working days after receipt of the notice of appeal. If the appeal is denied or timely response is not made, the person appealing is deemed to have exhausted administrative remedies and may pursue other remedies provided by the law.

6. Bases for Denial

A request may be denied if:

- a. the records are exempt under Section 7 of the Act (IV. below), except that, if the record exempt contains any material not exempt, the non-exempt materials shall be separated and made available to requester;
- b. a request which is made for all records in a category would be unduly burdensome, and, if so, the district must notify the requester and provide an opportunity to confer so as to narrow the request; if this effort fails, the district must notify the requester in writing of the reasons the request would be unduly burdensome;
- c. repeated requests for the same records are deemed unduly burdensome; or
- d. the purpose of a request made for records is to further a commercial enterprise.

IV. Records Exempt from Inspection and Copying

The following records are exempted from inspection and copying:

A. General

1. Information barred from disclosure for federal or state law, including, but not limited to, that specified in the Family Educational Rights & Privacy Act and the Illinois School Student Records Act;
2. Disclosure of any information that would constitute a clearly unwarranted invasion of the privacy of students, employees, appointees or elected officials unless such information bears on the public duties of employees or officials; there is a written consent to release this information; or the requester is an employee who has a statutory right or access to his or her records;
3. Library circulation records identifying the user with particular materials;
4. "Peer review" information received by the district in conjunction with faculty evaluations; and

5. Information related solely to the internal personnel rules and practices of the school district.
6. Identity of persons who file formal complaints with or provide information to the Board of Education or the administration.

B. Special Records

1. Investigative records compiled for internal purposes, but only if disclosure would; interfere with pending or probable enforcement proceedings; deprive a part of a fair hearing; reveal a confidential source; invade the privacy or endanger the physical safety of any person;
2. Minutes of meetings authorized to be closed;
3. Communications with the attorney or auditor of the district which are not subject to discovery and are prepared or compiled for auditors or prepared upon request of the attorney in anticipation of civil or administrative proceedings; and other communications which are privileged by law;
4. Information related to data processing or software which could jeopardize the security of the system;
5. Records related to real estate sales or purchases until negotiations are terminated or transactions are consummated;
6. Proprietary records concerning the operation of intergovernmental risk management associations, self-insurance pools or self-administered health or accident pools;
7. Building security documents or other records which could endanger the health or safety of persons or property if released; and
8. Information concerning the district's adjudication of a student or employee grievance or disciplinary case, except for the final outcome.

C. Preliminary Documents

1. Preliminary drafts, notes, or recommendations unless publicly cited by the Superintendent of Schools;
2. Proposals and bids for grants or contracts until selection or award if disclosure would confer advantage or frustrate procurement;

3. Architects' and engineers' plans;
4. Materials related to collective bargaining, except for the final agreement; and
5. Drafts, notes or recommendations regarding financing transactions, including information regarding the ownership of debt obligations and persons to whom payments are to be made.

D. Instruction-Related Materials

1. Research data which if disclosed, may result in private gain or public loss;
2. Questions, scoring keys or other data related to academic examinations; and
3. Course material or research materials used by faculty members, including computer software.

NOTICE OF PROCEDURE FOR REQUESTING RECORDS
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Requests for public records must be in writing and shall be submitted on Form No. 3, available at:

Naperville School District 203 Administration Center

203 West Hillside Road

Naperville, Illinois 60540-6589

Requests for records should be directed to:

Superintendent of Schools
Naperville School District 203
203 West Hillside Road
Naperville, Illinois 60540-6589

Fees to be charged for duplication shall be \$.35 per page for the first ten (10) pages; \$.25 per page for 11-25 pages; and \$.10 per page beyond 25 pages. Actual cost will be charged for other documents not of standard size. There shall be no charges for search or review of records.

RECORDS LIST

The records maintained by District 203 include, but may not necessarily be limited to, the following categories:

1. administrative manuals, procedural rules and instructions to staff;
2. final opinions and orders, except adjudication of student or employee grievances or disciplinary cases;
3. final planning documents;
5. reports and studies prepared by or for the public body, but excluding reports and studies prepared for internal use by staff;
6. all information concerning expenditure of public funds;
7. names, salaries, titles and dates of employment of all employees and officers;
8. materials containing opinions concerning the rights of public bodies or private persons, but excluding legal opinions and other documents prepared for the exclusion use of the district which are privileged by law;
9. name of every official and final records of voting in all proceedings;
10. information concerning grants or contracts made by the district and applications for a grant, contract or permit, except those specifically exempted under the Act;
11. reports, documents, studies or publications prepared by independent consultants for the district; and
12. all other information required to be maintained and available for public inspection and copying.

REQUEST TO INSPECT RECORDS

To: Superintendent of Schools
Compliance Officer
Naperville Community Unit School District 203
203 West Hillside Road
Naperville, Illinois 60540-6589

I,

, (Print or type the name and address of requester)
hereby request the opportunity to (circle appropriate term(s)):

- a. inspect
- or
- b. copy the following record (s) (please describe record(s) precisely):

I also request that a copy of the following record be certified (please describe record):

I understand that I shall be charged \$.35 per page for the first then (10) pages; \$.25 per page for 11-25 pages; and \$.10 per page for those beyond 25 pages. I further understand that these records are not to be used to further a commercial enterprise.

(Signature of Requesting Individual)

(Date request submitted)

(Date request received by
District Compliance Officer)

(Compliance Officer's Signature)

RESPONSE TO REQUEST PERMITTING RECORDS INSPECTION

(Date)

TO: _____
(Requester)

As per your request received on _____ to copy (copy)
(Date of Receipt)
(inspect) the records described in said request, you may inspect the following

record(s):

Certification may also be secured at this office. Please call me at the number below, or write to me at the address below to schedule your visit to inspect or copy the records.

(Compliance Officer)

(Address)

(Telephone)

NOTICE OF NEED FOR ADDITIONAL TIME TO RESPOND TO REQUEST

(Date)

TO: _____
(Requester)

As per your request received on _____ to (copy) (inspect) record(s)
(Date of Receipt)
described in said request, we are unable to fulfill this request within seven (7) working days for
the following reason(s):

(Check appropriate term(s)):

- ___ the record(s) are stored at another location
- ___ a substantial number of records must be collected
- ___ an extensive search is required
- ___ the records cannot be located in our initial search and additional efforts to do so are underway
- ___ an evaluation by a competent person is required to determine whether a statutory exemption is applicable
- ___ there is need for consultation with another public body
- ___ it would unduly burden this office
- ___ it would interfere with the work of the school district

(Compliance Officer)

(Address)

(Telephone)

DENIAL OF REQUEST TO INSPECT RECORDS

(Date)

TO: _____
(Requester)

Your request to inspect the following record(s):

(Describe record(s))

is denied for the reason that:

- _____ such record is exempt _____
(specify exemption)
- _____ you have made repeated requests for the same records
- _____ your request for all records in a category is unduly burdensome. Please contact me so that we may confer; if this request cannot be narrowed, it will be denied.

You may file a written appeal of this decision with the Superintendent of Schools within thirty (30) days of denial of the request.

(Compliance Officer)

Note: A copy of this document will be filed in the DENIAL OF REQUESTS FOR INSPECTION AND COPYING OF RECORDS file, which is maintained with an index by exemption and, as feasible, by type of records, in the office located at 203 West Hillside Road.

(Date)

TO: _____
(Requester)

You have appealed from the denial of your request to inspect the following record(s):

Your appeal of the denial of your request to inspect/copy the records is denied for the following reason _____

You may appeal this decision as provided by law.

Superintendent of Schools

Naperville Community Unit School District 203 is a school district located in Naperville, Illinois, DuPage and Will Counties. The District is organized under the laws of the State of Illinois for the purpose of providing its residents with schools for Grades K-12 for the education of all eligible persons in the District.

The District operates the following schools:

Elementary Buildings (Grades K-5)

- | | | |
|-----|---------------------|-------------------------|
| 1. | Beebe School | 110 E. 11th Street |
| 2. | Ellsworth School | 145 N. Sleight Street |
| 3. | Elmwood School | 1024 Magnolia Lane |
| 4. | Highlands School | 525 S. Brainard Street |
| 5. | Kingsley School | 2403 Kingsley Drive |
| 6. | Maplebrook School | 1630 Warbler Drive |
| 7. | Meadow Glens School | 1150 Muirhead Avenue |
| 8. | Mill Street School | 1300 N. Mill Street |
| 9. | Naper School | 39 S. Eagle Street |
| 10. | Prairie School | 500 S. Charles Street |
| 11. | Ranch View School | 1651 Ranchview Drive |
| 12. | River Woods School | 2607 River Woods Drive |
| 13. | Scott School | 500 Warwick Drive |
| 14. | Steeple Run School | 6S151 Steeple Run Drive |

Junior High School Buildings (Grades 6-8)

- | | | |
|----|-------------------------------|--------------------------|
| 1. | Jefferson Junior High School | 1525 N. Loomis Street |
| 2. | Kennedy Junior High School | 2929 Green Trails Drive |
| 3. | Lincoln Junior High School | 1320 S. Olympus Drive |
| 4. | Madison Junior High School | 1000 River Oak Drive |
| 5. | Washington Junior High School | 201 N. Washington Street |

Senior High School Buildings (Grades 9-12)

- | | | |
|----|--------------------------------|----------------------|
| 1. | Naperville Central High School | 440 W. Aurora Avenue |
| 2. | Naperville North High School | 899 N. Mill Street |

District's Administrative Center

1. 203 W. Hillside Road, Naperville, IL 60540-6589

District 203 is governed by a seven (7) member Board of Education. The Board's office is located in the District's Administration Center at the above address. Current members of the Board of Education are as follows:

Gerry Cassioppi
Timothy Costello
Mike Davitt
Suzyn Price
Dean Reschke
Debra Shipley
Ann Staats

Administrative Center Office Hours:
8:00 a.m. - 4:30 p.m. School Term
7:30 a.m. - 3:30 p.m. Summer
Telephone: 420-6300

DISTRICT 203 RECORDS DIRECTORY

Any person requesting public records of Naperville Community Unit School District 203 shall make such request in writing in care of the District's Administration Center located at 203 West Hillside Road. Such request shall be made to:

Superintendent of Schools
Compliance Officer
Address Above

Written request may be mailed to the Superintendent of Schools specifying in particular the records requested to be disclosed and copied. All written requests should be addressed to the District's Administration Center. If you desire that any records be certified, you must indicate that in your request and specify which records must be certified.

The fees for copies of public records are as follows:

1. \$.35 per page for first ten (10) pages.
2. \$.25 per page for pages 11-25.
3. \$.10 per page for those beyond the 25th page.