

RESOLUTION CONCERNING  
FREEDOM OF INFORMATION ACT REQUESTS

WHEREAS, 5 ILCS 140/1 *et. seq.*, the Illinois Freedom of Information Act (FOIA), enhances transparency in public matters by public bodies by promoting access to public records; and

WHEREAS, the Board of Education of Waukegan Community Unit School District No. 60 recognizes and supports the public's right to know and the purposes of FOIA and, consistent with that philosophy, has in general provided information without imposition of fees described in its previously adopted Board Policy 1004; and

WHEREAS, the Board also observes the increasing number of very detailed FOIA requests received annually and the growing financial and time burden of compliance on all staff sections with the District, which in turn adversely impacts the ability of District staff to timely complete its other operational tasks and responsibilities; and

WHEREAS, the burden and volume of FOIA information currently being sought on a regular basis requires the hiring of additional personnel solely for the purpose of managing the District's FOIA obligations, thereby increasing its administrative expenses and reducing funds available for educational activities; and

WHEREAS, the nature, depth and extent of certain data requests involving particularly financial reporting and email materials have highlighted the need for the District to incur other expenses unrelated to its educational mission in order to obtain updated software and related technological materials which will expedite the collection of FOIA materials, the efficient and timely assembly of responses and related communications with requesters and the management of administrative tracking reports; and

WHEREAS, the FOIA (5 ILCS 140/6) grants the public body the authority to charge fees reasonably calculated to reimburse its actual costs for reproducing records and for the use of public equipment to produce copies and create electronic versions of documents not in a pdf format, subject to specified exclusions for the first 50 pages of documents, copying fees for black and white copies up to fifteen cents per page, and search fees and materials costs in certain situations, particularly in the cases of commercial and voluminous requests; and

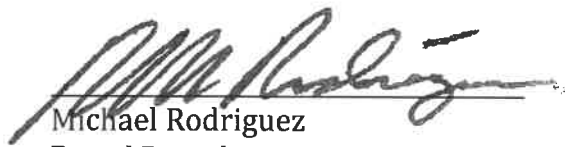
WHEREAS, the Board finds that the current actual costs per page for paper is 0.00432/page and the costs for copying/scanning and related equipment and material costs are approximately 0.05/page, and further finds that the printing of email requests is necessary to complete the review of such emails for duplication, repetition, deletion of extraneous metadata, and redaction of exempt matter; and

WHEREAS, existing Board Policy 1004 sets forth a fee schedule for FOIA request responses as permitted by 5 ILCS 140/6;

NOW, THEREFORE, it is resolved as follows:

1. The foregoing figures for paper, copying, scanning and printing are reaffirmed by this Board as its standard scale of fees, and the FOIA Officer and the District Administration are directed to publicize and enforce the existing Board Policy and fee schedule and to include the same on the District website.
2. In the case of all commercial requests, the Administration is directed to impose the search and redaction fees allowed by 5 ILCS 140/6(f).
3. The Administration will provide each requester with an estimate of fees when a FOIA request is received and upon compilation of the response, a full accounting of copying and other charges as part of any claim for fees.
4. The Administration will report to the Board of Education not later than the end of each calendar year regarding the use and continuing accuracy of this fee schedule and any adverse impact or hardship created by this Resolution so that the Board of Education may make any necessary modifications to Board Policy 1004 and allow the Board the opportunity to review and compare its actual costs for FOIA compliance against the allowable fees as provided in 5 ILCS 140/6.

ADOPTED and APPROVED this 22<sup>th</sup> day of May, 2018.



Michael Rodriguez  
Board President



Theresa Plascencia  
Board Secretary