

FREEDOM OF INFORMATION ACT SMC POLICY AND PROCEDURES

(3/2/23)

1. The Requestor should be asked to fill out the Freedom of Information Act (FOIA) request form at or prior to reviewing records sought. However, the Requestor is not required to fill out the form as long as their request is in writing.
2. We have five (5) working days to respond and make copies requested, unless there is justification for a 5 working-day time extension. Any extension must be done in writing during the first 5 days. The extension notification must list the reason the extension is required and must give a date the response will be forthcoming. Extensions beyond 5 additional working days must be agreed to by the Requestor.
3. Email requests received by an employee who is on leave should be forwarded to the FOIA Officer(s) upon that employee's return to the office. The FOIA Officer(s) should then notify the Requestor that a time extension is necessary.
4. Denials must be approved by the FOIA Officer(s). Any denial must be made in writing, specifying the reason for the denial and the employee responsible for the denial. The denial must inform the Requestor of the right to review by the Public Access Counselor with address and phone number as well as the right to judicial review. The Public Access Counselor contact information is as follows:

Public Access Bureau publicaccess@ilag.gov
500 S. 2nd Street
Springfield, IL 62706 877/299-3642
5. Exemptions must be approved by the FOIA Officer(s). Any exemption based on personal information or preliminary records must be made in writing to the Requestor and copied to the Public Access Counselor. The notice must include a copy of the request, a copy of the response, and a detailed summary of the basis for the exemption.
6. If Requestor wants to look at a file, a meeting time and date can be set up through the front office or the staff member handling the call.
7. The Requestor must check in with the front office and the assisting staff person. The Requestor must leave all personal belongings other than a notepad with the front office and be escorted into a conference room with only the file to be reviewed and the notepad. No carrying cases, purses, etc. are allowed. When the Requestor is finished reviewing the file, he/she must check out with the front office and/or assisting staff and retrieve any personal belongings before leaving the building.
8. The Requestor flags/tags the items to be copied. The copies will be made available to the Requestor within five (5) working days of the request unless there is justification for a time extension.
9. Approximately 50 – 8 ½ x 11" black & white pages are free and any more **black & white** copies requested are charged **\$0.15** per copy. **Color copies are charged at the actual cost to SMC.** If large diagrams/plan set or roll plans are requested, they are taken to a copy company, such as Kinko's, and the Requestor will be charged whatever the cost to SMC was.
10. Documents that belong to SMC and stored electronically are transferred at no charge to the Requestor.
11. Electronic documents from another agency that are not supported by SMC should be sought from that agency by the Requestor.