

FISCAL AND OPERATIONAL PRACTICES

Access to the Cooperative's Public Records

Section 3.10

The Cooperative's "public records" are those records and documents, regardless of physical or electronic form, pertaining to the transaction of public business and as further defined by law, including the Illinois Freedom of Information Act ("FOIA"), and the Cooperative's FOIA Administrative Procedures. The Cooperative shall maintain and make available for inspection a reasonably current list of the types and categories of records under its control, as well as those documents that are immediately available upon request.

The Cooperative shall respond to all written requests for public records as set forth in this Policy and the Cooperative's FOIA Administrative Procedures. The Executive Director shall designate one or more employees as the Cooperative's Freedom of Information Officer ("FOIA Officer") to receive FOIA requests, coordinate review of the relevant information, and respond on behalf of the Cooperative in a timely manner. Each FOIA Officer shall successfully complete the required training through the Public Access Counselor's office of the Attorney General on a timely basis.

Requests to inspect and/or copy the Cooperative's public records must be submitted in writing, and are expected to be directed to the Cooperative's FOIA Officer. Requests are expected to specify with reasonable particularity which public records are sought to avoid inefficient use of staff time in retrieving and preparing records for inspection. Repeated requests from the same person for the same records that are unchanged or identical to records previously provided or properly denied under FOIA are deemed unduly burdensome and may be denied. If a request is for a commercial purpose, as defined in FOIA and the Cooperative's FOIA Administrative Procedures, the requester is expected to disclose that in his or her initial written request. It is a violation of FOIA 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 Cooperative.

The Cooperative shall approve the written FOIA request, unless (1) the requested document is not a "public record" as defined in FOIA and the Cooperative's FOIA Administrative Procedures; (2) the public record is exempt by law from inspection and copying; or (3) complying with the request would be unduly burdensome. If an otherwise non-exempt responsive record contains information that is exempt from disclosure, the Cooperative will redact the information that is exempt and make the remaining information available for inspection and copying.

The Directing Board periodically shall set fees for reproducing public records in accordance with FOIA. Such fees shall be set forth in the FOIA Administrative Procedures.

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In the event that a written request for access to Cooperative public records is denied, in whole or in part, the FOIA Officer shall provide the individual making the request with a written statement of the reasons for the denial and notice of the right to appeal the decision to the Public Access Counselor's office of the Attorney General and the right to judicial review.

The Directing Board President, FOIA Officer, Executive Director or designee shall report to the Directing Board at each regular meeting any FOIA requests as well as the status of the response(s).

The Executive Director is authorized to develop Administrative Procedures to implement this Policy. The Executive Director and FOIA Officers shall implement this Policy in accordance with the Cooperative's FOIA Administrative Procedures and all applicable law.

Adopted: