

## CHAMPAIGN-URBANA PUBLIC HEALTH DISTRICT

### ILLINOIS FREEDOM OF INFORMATION ACT PROCEDURES FOR REQUESTING RECORDS

These procedures are provided as a guide for requesting public records from the Champaign-Urbana Public Health District under the Illinois Freedom of Information Act (the "Act").

CUPHD will respond to written requests for inspection, copying, or certification of public records in accordance with the Act and any other applicable law. Generally, under the Act, CUPHD will provide public records for inspection or copying as requested except for records (1) that would, if disclosed, violate individual privacy, or (2) whose production would unduly disrupt work of CUPHD, or (3) that are specifically exempted from disclosure by the Act or other applicable law.

Requests and other communications relating to public records must be sent to CUPHD's Freedom of Information Officer:

Freedom of Information Officer  
Attn: Patricia Robinson  
Champaign-Urbana Public Health District  
201 W. Kenyon Rd.  
Champaign, Illinois 61820  
PH: (217) 531-4257  
FX: (217) 531-4343  
Email: [probinson@c-uphd.org](mailto:probinson@c-uphd.org)

Deputy Freedom of Information Officer  
Attn: Tammy Hamilton  
Champaign-Urbana Public Health District  
201 W. Kenyon Rd.  
Champaign, Illinois 61820  
PH: (217) 531-2905  
FX: (217) 373-7905  
Email: [thamilton@c-uphd.org](mailto:thamilton@c-uphd.org)

Deputy Freedom of Information Officer  
Attn: Linda Smith  
Champaign-Urbana Public Health District  
201 W. Kenyon Rd.  
Champaign, Illinois 61820  
PH: (217) 531-4265  
FX: (217) 531-4343  
Email: [lsmith@c-uphd.org](mailto:lsmith@c-uphd.org)

## I. INTERPRETATION

### A. Conflicts

These procedures do not supersede the provisions of the Act. If any provision of these procedures conflicts with the Act, then the provisions of the Act will govern.

### B. Definitions

In addition to the definitions provided in the Act or elsewhere in these procedures, the following definitions apply:

1. Business Hours: 8:00 a.m. to 4:00 p.m. on a Business Day.
2. Business Day: Any day on which the general office of CUPHD located at 201 W. Kenyon Rd. is open and staffed for regular public business. Business Days generally are Monday through Friday, except Board of Health authorized holidays.
3. Freedom of Information Officer: The Freedom of Information Officer of CUPHD identified above and designated under Section 3.5 of the Act.

4. Public Access Counselor: The Public Access Counselor of the Office of the Illinois Attorney General.
5. Request: A request to inspect, copy, or certify public records.
6. Request Made for Commercial Purposes: A Request made with the intent to use the requested records (or the information derived from those records), in whole or in part, for sale, resale, or solicitation or advertisement for sales or services. However, a Request submitted by news media or by non-profit, scientific, or academic organizations will not be deemed to be made for commercial purposes if the principal purpose of the Request is (a) to access and disseminate information concerning news and current or passing events, (b) for articles of opinion or features of interest to the public, or (c) for the purpose of academic, scientific, or public research or education.
7. Requestor: A person, firm, or corporation that files a Request with CUPHD.
8. Response Time: The time for response by CUPHD to a request for public records, as calculated pursuant to Subsection III.A of these procedures.

### **C. Measurement of Time**

- a. Days. In counting the number of days allowed for a response or a decision to be given by CUPHD under the Act and these procedures, CUPHD will not include the day on which the request or notice requiring the response or decision was first received.
- b. Supplemental Requests. Supplemental, amended, or additional Requests will not relate back to the time of receipt of the initial Request. Supplemental, amended, or additional Requests will be considered new Requests for purposes of determining the applicable response time.
- c. Response Date: All responses and decisions to be issued by CUPHD under the Act will be deemed to have been given on the date of personal delivery to the person or to the residence of the person entitled to the response or decision or, if mailed, on the date of mailing, regardless of the date of actual receipt by that person. Each response and decision will include proof of service evidencing the method by which, and time at which, the response or decision was delivered.

## **II. REQUESTS FOR INSPECTION, COPYING, OR CERTIFICATION OF PUBLIC RECORDS**

### **A. Officials Responsible for Responding to Requests**

The Freedom of Information Officer is the person administratively responsible for receiving and processing Requests.

The Freedom of Information Officer is the person with authority on behalf of CUPHD to grant or deny Requests, to extend the response time, and to issue the appropriate notices with respect to all related matters. The Freedom of Information Officer may consult with CUPHD staff, officials, and others as appropriate with respect to all related matters.

CUPHD may, from time to time, appoint Deputy Freedom of Information Officers to assist the Freedom of Information Officer in the performance of his or her duties under the Act and these procedures. In the absence of the Freedom of Information Officer, the Deputy Freedom of Information Officer(s) is authorized to grant or deny Requests, to extend the response time, and to issue the appropriate notices with respect to all related matters.

## **B. Form of Request**

1. Required Information. A Request must be filed with CUPHD in writing and in English. CUPHD encourages Requestors to submit requests on the convenient form provided by the District or in a similar form that contains, at a minimum, the following information:
  - a. The Requestor's name;
  - b. Either the Requestor's mailing address, e-mail address, or telephone number;
  - c. A description of the public records requested;
  - d. A statement of purpose, indicating whether the Requestor intends to use the records, or the information derived from those records, for sale, resale, solicitation, or advertisement for sales and services;
  - e. A statement of whether the Requestor is, or represents, news media or a non-profit, scientific or academic organization; and
  - f. A statement of whether the principal purpose of the Request is either (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) academic, scientific or public research or education.

Use of the Official Request Form is the most effective way to obtain a prompt, full, and complete response from CUPHD.

2. Requests Must Be Complete. No Request will be deemed complete unless it contains, at a minimum, all of the information required pursuant to Paragraph II.B.1 of these procedures.
3. Subpoenas. Except as provided in Section 9.5(c) of the Act, these procedures will not apply to any subpoena for records received by CUPHD and issued by, or in accordance with the procedures of a court or agency of competent jurisdiction.

## **C. Submittal of Request**

Completed Requests should be filed with CUPHD's Freedom of Information Officer or an appointed Deputy Freedom of Information Officer by mail, facsimile, overnight courier service, electronic mail, or in person in accordance with the following:

1. In-Person Submissions. Requests submitted in person should be given to the Freedom of Information Officer, a Deputy Freedom of Information Officer, or the office of the Public Health Administrator.
2. Electronic Mail Submissions. Requests submitted by electronic mail should be sent directly to the Freedom of Information Officer at [probinson@c-uphd.org](mailto:probinson@c-uphd.org) and will be deemed received when posted to the e-mail account.
3. All Other Submissions. Requests submitted by mail or other means should be addressed to the Freedom of Information Officer at CUPHD and will be deemed received only upon actual receipt by CUPHD on a Business Day, regardless of date of submission.

All CUPHD officials and employees who receive a Request must immediately forward that Request to the Freedom of Information Officer or Deputy Freedom of Information Officer(s).

#### **D. Processing of Request**

1. The Freedom of Information Officer or Deputy Freedom of Information Officer(s) must maintain an electronic or paper copy of the Request, including all documents submitted with the Request, until all matters related to the Request have been completed.
2. The Freedom of Information Officer must create an electronic or paper file for the retention of the original Request, a copy of the response by CUPHD, a record of all written communications with the Requestor regarding the Request, and a copy of other communications related to the Request.
3. The Freedom of Information Officer must keep all notices of denial in a single central office file, indexed according to the type of exemption asserted, and, to the extent feasible, according to the type of records requested.

### **III. RESPONSES TO REQUESTS**

#### **A. Time for Response**

1. Requests Made for Commercial Purposes. CUPHD will respond within 21 business days after a completed Request made for commercial purposes is received.
2. All Other Requests. For all Requests other than those set forth in Paragraph III.A.1 of these procedures, CUPHD will respond within five (5) Business Days after a completed Request is received by CUPHD, unless CUPHD has extended the response time pursuant to Paragraph III.A.3 of these procedures.

3. Extension of Time

- a. If the Freedom of Information Officer or Deputy Freedom of Information Officer(s) determines that additional time is needed and allowed under the Act to respond to a Request, then the Freedom of Information Officer or Deputy Freedom of Information Officer(s) will notify the Requestor within the applicable response time of the determination, of the reasons requiring the extension, and of the length of the extension (which may not exceed five additional business days). The Freedom of Information Officer or Deputy Freedom of Information Officer(s) may not issue a notice of extension for Requests made for commercial purposes.
- b. The Requestor and CUPHD may agree in writing to extend the time for compliance for a period to be mutually determined.

**B. Disclosure of Public Records**

1. Search of Health District Files and Use of Health District Equipment. Except as otherwise specifically authorized by the Freedom of Information Officer or Deputy Freedom of Information Officer(s), only CUPHD employees are permitted to search CUPHD files, records, or storage areas, or to use CUPHD's equipment in connection with any Request.
2. Removal of Original Records. Original public records may not be removed from any CUPHD building at any time, except as authorized by the Public Health Administrator.
3. Inspection of Public Records. Public records approved by the Freedom of Information Officer or Deputy Freedom of Information Officer(s) for disclosure may be inspected, or copies of public records obtained, during business hours at CUPHD or another location designated by the Freedom of Information Officer or Deputy Freedom of Information Officer(s). Requestors must make an appointment with the Freedom of Information Officer or Deputy Freedom of Information Officer(s) to inspect public records at CUPHD.
4. Copies of Public Records. Copies of public records approved by the Freedom of Information Officer or Deputy Freedom of Information Officer(s) for disclosure may be obtained during business hours at CUPHD or another location designated by the Freedom of Information Officer or Deputy Freedom of Information Officer(s), provided that the Requestor had requested copies in the Request and has paid any applicable fees.
5. Mailing of Requested Public Records. Copies of public records will be mailed to the Requestor only if the Freedom of Information Officer or Deputy Freedom of Information Officer(s) reasonably determines that it is unduly burdensome for the Requestor to arrange for inspection of the original public records, or for pick up of copies of the public records at CUPHD.

6. Audio and Video Recordings. Requests for reproduction of any public records that are audio or video recordings will be honored in accordance with the provisions of the Act and any other applicable state law.
7. Records maintained in electronic format. If the requested public records are maintained by CUPHD in an electronic format, then CUPHD will reproduce copies of the requested public records in the electronic format specified by the Requestor, if feasible. CUPHD may charge to the Requestor the actual cost of the medium necessary for that format.
8. Payment of Fees. The Requestor must pay all copying, certification, and postage fees in advance of receiving copies of any public records (if fees apply).

**C. Categorical Requests**

1. Notification of need for clarification. If the Freedom of Information Officer or Deputy Freedom of Information Officer(s) determines that the Request for all records falling within a category will unduly burden CUPHD, and that the burden to CUPHD outweighs the public interest in production of the public records sought, then the Freedom of Information Officer or Deputy Freedom of Information Officer(s) will notify the Requestor in writing of the determination, of the reasons supporting the information, and of the right of the Requestor to have further discussion with the Freedom of Information Officer or Deputy Freedom of Information Officer(s) in an effort to narrow the Request.
2. Failure to Respond by CUPHD. The Freedom of Information Officer or Deputy Freedom of Information Officer(s) may not determine that a Request is unduly burdensome if CUPHD has previously failed to respond to that Request within the applicable response time.
3. Failure to agree. If the Requestor does not agree to discuss narrowing the scope of Request, then the Freedom of Information Officer will deny the request on the fifth business day after the request for clarification.

**D. Denial**

1. Denials Under Section 7(1)(c) and 7(f). If the Freedom of Information Officer or Deputy Freedom of Information Officer(s) determines that all, or some, or a portion of any requested public records are not subject to disclosure under Sections 7(1)(c) or 7(1)(f) of the Act, then the Freedom of Information Officer or the Deputy Freedom of Information Officer(s) must send notice to the Public Access Counselor of CUPHD's intent to deny the request. If the Public Access Counselor determines that further inquiry into the request is not warranted, then the Freedom of Information Officer or Deputy Freedom of Information Officer(s) will deliver the Section 7(1)(c)/7(1)(f) Notice of Denial to the Requestor as provided in these procedures.
2. Contents of Denials. Denial of Requests must set forth the reason(s) for the denial, and must notify the Requestor of his or her rights to (a) seek review of the denial by the Public Access Counselor, and (b) seek judicial review under Section 11 of the Act.

3. Denials in writing. Except as otherwise provided by the Act, all denials of Requests will be in writing.
4. Cooperation with Public Access Counselor. If the Public Access Counselor determines that further inquiry into any denied request is warranted, the Freedom of Information Officer or Deputy Freedom of Information Officer(s) will comply with the directives of the Public Access Counselor, or seek appropriate review of those directives, in accordance with the Act.

**E. No Obligation to Create New Records**

Except as provided in Section V of these procedures, the Act does not require CUPHD to create records that are not already maintained in record form.

**F. No Obligation to Interpret or Advise**

The Act does not require CUPHD to interpret, or advise Requestors as to the meaning or significance of any public records.

**IV. FEES**

**A. Fees Established**

Unless fees are waived or reduced under Subsection IV.C of these procedures, each Requestor must pay the following fees for copying, certification, and mailing of public records.

1.	Paper Copies	<b>Size</b>	<b>Output</b>	<b>Unit Price</b>
		Letter (8½ x 11)	Black & White	1 <sup>st</sup> 50 pages Free Each page >50 pages \$0.15
			Color	\$0.22
		Legal (8½ x 14)	Black & White	1 <sup>st</sup> 50 pages Free Each page >50 pages \$0.15
			Color	\$.028
		Ledger (11 x 17)	Black & White	\$0.27
			Color	\$0.44
		Large Format (map)	Black & White	\$1.98
			Color	\$1.98
2.	Electronic Media		<b>Output Medium</b>	<b>Price</b>
		CD		\$0.50
		DVD		\$0.60
3.	Certification			\$1.00 per record, plus copy cost
4.	Mailing			Cost of postage

If the requested records are of a type not listed above, or when the services of an outside vendor are required to copy any public record that are not 8 ½ x 11 or 8 ½ x 14, black and white, then the fees charged for copying the records will be the actual charges incurred by CUPHD, and the fees stated above will not apply. The fees stated in items 1 through 4 will also not apply if the fee for the requested records is otherwise fixed by statute. If the requested records are produced on an electronic medium, then the Requestor must pay the actual cost of the medium.

CUPHD has determined that the fees in this Subsection A are no more than necessary to reimburse CUPHD for the actual cost of reproducing, certifying, and mailing public records requested pursuant to the Act.

**B. Method and Time of Payment**

Payment of all required fees must be made in cash, by cashier's or certified check, or by money order prior copying, certification or mailing of any public record.

**C. Waiver of Fees**

The fees provided in Subsection IV.A of these procedures may be waived or reduced by the Freedom of Information Officer or Deputy Freedom of Information Officer(s) if the Requestor includes in the Request the specific purpose of the Request and establishes to the reasonable satisfaction of the Freedom of Information Officer or Deputy Freedom of Information Officer(s) that a fee waiver or reduction is in the public interest. Any request for a fee waiver or reduction must be indicated in the Request at the time the Request is filed.

A fee waiver or reduction will be considered to be in the public interest only if the principal purpose of the Request is to disseminate information regarding the public health, safety, and welfare or the legal rights of the general public. No fee waiver will be granted if the Request is for the principal purpose of personal or commercial benefit to the Requestor. The Freedom of Information Officer or Deputy Freedom of Information Officer(s) may consider the number of requested public records and the cost and necessity of copying them in setting the fee waiver or reduction amount.

**D. Waiver for Failure to Respond**

If the Freedom of Information Officer or Deputy Freedom of Information Officer(s) does not respond to a Request properly submitted pursuant to Section II of these procedures within the applicable Response time, then the District will not require the payment of fees for any copies of records produced in response to that Request.

**V. Health Department Obligations**

**A. Organizational Description**

The Freedom of Information Officer or Deputy Freedom of Information Officer(s), at least once each fiscal year, will produce and make available for inspection, copying, and mailing to any person requesting it, a brief description of the District in the form of the District's annual report. The description must identify and describe the membership of the Board of Health and must also include:



1. a short summary of the District's purpose.
2. a block diagram of the District's functional subdivision.
3. the approximate number of the District's full and part-time employees.
4. the total amount of the District's operating budget, and
5. the number and location of each of the District's offices.

The Freedom of Information Officer must post the description required pursuant to this Subsection V.A to the website.

**B. Index of Public Records**

The Freedom of Information Officer or Deputy Freedom of Information Officer(s) must create, maintain current, and make available for inspection, copying, and mailing, an index of common types or categories of public records prepared or received, and maintained by the District.

**B. Records Stored by Electronic Data Processing**

The Freedom of Information Officer or Deputy Freedom of Information Officer(s) must prepare and furnish, to any person requesting it, a description of the manner in which public records of the District may be obtained in a form comprehensible to persons lacking knowledge of computer language or printout format.

**C. Summary of Procedures**

The Freedom of Information Officer or Deputy Freedom of Information Officer(s) must create, maintain current, and make available for inspection, copying, and mailing, a brief summary of the procedures established by these procedures. The Freedom of Information Officer must post the summary to the District's website.

**D. Posting and Mailing of Information**

The Freedom of Information Officer must keep posted at the District offices, and will mail to any person making a request therefore, copies of the Organizational Description, the Index of Public Records and the Summary of Information for Submitting Requests for Public Records.

**E. Filing of Notices of Denial**

The Freedom of Information Officer must retain copies of all Request denials in a single file at the District that is open to the public and indexed according to the type of exemption asserted and to the extent that categorization is feasible, the type of records requested.