

Freedom of Information Act Policy

Knox County Housing Authority
216 W. Simmons St.
Galesburg, IL 61401
(309) 342-8129

Article I. Purpose / Scope of the Policy

Section 1.01 Recently, Attorney General Lisa Madigan worked with legislators and open government advocates to draft and pass landmark legislation to strengthen the Freedom of Information Act (FOIA) to increase the transparency and accountability of governments at all levels.

Section 1.02 It is the policy of the Knox County Housing Authority to comply with all provisions and requirements of the Illinois Freedom of Information Act (5 ILCS/140; PA 96-542.)

Section 1.03 This policy is in effect for all KCHA properties.

Section 1.04 A hard copy of the Freedom of Information Act will be maintained by the FOIA Officer. The act can be read in full on the Illinois General Assembly website at: <http://www.ilga.gov/legislation/publicacts/96/096-0542.htm>.

Section 1.05 Any exemptions, changes, or special provisions to this policy will be made only with the approval of the Knox County Housing Authority Executive Director.

Article II. General Provisions

Section 2.01 The Freedom of Information Act revisions are effective January 01, 2010.

Section 2.02 The KCHA will designate a Freedom of Information Act Officer to receive and issue proper response to all FOIA requests submitted to the KCHA.

Section 2.03 The KCHA will maintain a place where the materials required by the FOIA will be made available for public inspection and copying in its Central Office Cost Center (COCC), located at 216 W. Simmons St., Galesburg, IL 61401.

Section 2.04 It is the responsibility of each KCHA employee to fully comply with this policy and the procedures set forth within.

Section 2.05 Enforcement of this policy is the responsibility of the Executive Director, and the FOIA Officer.

Article III. Freedom of Information Act Officer(s)

Section 3.01 The KCHA will designate a Freedom of Information Act Officer to receive and issue proper response to all FOIA requests submitted to the KCHA.

Section 3.02 The KCHA will select FOIA Designate to act on behalf of the agency in the absence of the FOIA Officer.

Section 3.03 All FOIA Officers and Designates shall successfully complete an electronic training curriculum within 30 days of assignment, as a prerequisite to acting in such capacity. Thereafter, each officer/designate will recertify annually.

Article IV. FOIA Request Process

Section 4.01 All FOIA requests must be submitted in writing. This can include – but is not limited to – requests submitted via the KCHA Freedom of Information Act Request Form, handwritten requests, USPS, UPS, FedEx, facsimile, or email.

Section 4.02 All FOIA requests must be forwarded to the FOIA Officer immediately upon request. FOIA requests are time sensitive, and must be promptly delivered to the FOIA Officer to ensure compliance. When a KCHA employee receives a FOIA request, the following steps must be taken:

- (a) Recommend the requestor submit the request directly to the KCHA FOIA Officer. If the person making the request insists, accept the request.
- (b) Suggest the requestor use the “Knox County Housing Authority Freedom of Information Act Request Form” to submit their request. It is not required the requestor use the KCHA form when submitting a FOIA request.
- (c) Do not inquire as to the reason the person is making the request.
- (d) Document the date, time received, and receiving employee on the request.
- (e) Immediately contact the KCHA FOIA Officer to communicate the receipt of the request.
- (f) Deliver the request to the KCHA FOIA Officer.
- (g) The KCHA FOIA Officer will consider the request, and has five (5) business days to respond to a “Standard” request, and twenty-one (21) business days to respond to a “Commercial” request.
- (h) The written response issued by the KCHA FOIA Officer must include date, time, decision of the KCHA FOIA Officer, citations to applicable portions of the FOIA (*5 ILCS/140*), and the grievance procedure.
- (i) In considering the request, the KCHA FOIA Officer will levy all applicable fees allowable by the FOIA (*5 ILCS/140*).

Section 4.03 Exemptions to processes set forth in this section must be approved by the Executive Director.

Article V. Applicable Fees

Section 5.01 The Knox County Housing Authority will charge fees reasonably calculated to reimburse its actual cost for reproducing or certifying public records. The KCHA shall impose no fee inconsistent with subsections (6)(a) and (6)(b) of the FOIA (*5 ILCS/140*).

Section 5.02 If the estimated cost to respond to a request exceeds \$200.00, the KCHA may require a deposit be paid, not to exceed the amount of the estimate, before proceeding with the request.

Section 5.03 If the Knox County Housing Authority fails to meet the regulatory deadline for responding to a request, and has not made arrangements with the requestor, all fees associated with the request must be waived.

Section 5.04 The KCHA will furnish documents without charge, or at a reduced charge, if the person requesting the documents states the specific purpose of the request and demonstrates the waiver or reduction of fees is in the public interest. The applicability of the fee waiver is at the discretion of the KCHA FOIA Officer, or the Executive Director.

Section 5.05 Below is a schedule of fees the Knox County Housing Authority may impose for FOIA requests.

Item	Cost for Reproduction
First 50 B&W Copies (Letter or Legal)	\$ -
Each Additional B&W Copy	\$ 0.15
Color Copies (Letter or Legal)	\$ 0.49
Certification of Documents	\$ 1.00
CD Media (per disk)	\$ 3.00
All Other Reproduction Costs	Actual

Article VI. Standard Exemptions from Disclosure

Section 6.01 The FOIA (5 ILCS 140) allows public bodies to withhold certain records from public disclosure.

Section 6.02 The Knox County Housing Authority shall comply with all exemption requirements set forth in the FOIA (5 ILCS 140/7).

Section 6.03 Common exemptions will include:

- (a) Personnel files and personal information maintained with respect to KCHA employees, appointees, or Board Commissioners
- (b) Files and personal information maintained with respect to residents
- (c) Records subject to attorney-client privilege
- (d) Vendor/contractor proprietary information
- (e) Proposals, bids, or negotiations for any contract, grant, or agreement until award or final selection is made

Article VII. Posting Requirements

Section 7.01 The Knox County Housing Authority shall comply with all posting requirements set forth in the FOIA (5 ILCS/140).

Section 7.02 The following information will be made available for review on the Knox County Housing Authority's website at www.knoxhousing.org.

- Description of the Knox County Housing Authority
- KCHA Organizational Chart
- Operating Budgets
- Location of Administrative Offices
- KCHA Board of Commissioner Listing
- Process for requesting information under the FOIA.
- KCHA FOIA Officer/Contact Listing

- KCHA Board of Commissioners meeting minutes

Section 7.03 The following is a list of all documents or categories the KCHA will immediately disclose upon request:

- All policies and procedures utilized by the Knox County Housing Authority which govern day-to-day operations
- A schedule of salaries and benefit information for KCHA employees
- All finalized budgeting, operating, and financial reporting statements
- All current contracts for services provided to the KCHA
- Vendor listing for all vendors providing materials/services to the KCHA
- Annual and 5-Year Plans

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