

19.0 PUBLIC RECORDS POLICY

The Village acknowledges it maintains many records, in a multitude of formats, which serve to document the organization, function, policies, decisions, procedures, operations, or other activities of the public office. A formal policy has been adopted by the Village in order to promote proper and timely retention, production, and disposal of public records that is available upon request. The Policy contains the following headings and information:

A. DEFINITIONS

This provision defines the terms of Public Records, Public Office, Elected Official Designee, Redaction, and Records.

B. TRAINING FOR PUBLIC OFFICIALS

This provision is to ensure that all employees of public offices are appropriately educated about a public office's obligations to make public records available for public inspection and copying; moreover, requires this posting.

C. ORGANIZATION AND AVAILABILITY OF PUBLIC RECORDS

This provision addresses that public records must be maintained in a manner so that they can be made available for inspection under the Public Records Law and places responsibility of retaining, production and retention of its departments records upon each department head. Centralization of records is directed when practical. Each department will have available a copy of its current records retention schedule in a location readily available to the public with master copies of the retention schedules, being periodically reviewed, on file with the clerk's office. Amendments to the records retention schedule must be approved by the Village's Records Commission.

Any ambiguous or overly broad request that makes it difficult to fulfill may be denied; however, the requester will be provided an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

D. PROCEDURE

All public records will be promptly prepared and made available for inspection to any person at all reasonable times during public business hours of the department and will be available at cost. Generally, the number of public records that the public office will make available to a single person will not be limited.

If a public record contains information that is exempt from disclosure, only that part will be redacted with notification to the requester of the redaction and why it was

redacted/denied. If the initial request was provided in writing, the explanation will be presented to the requester in writing.

Unless specifically required or authorized by state or federal law or in accordance with the Public Records Law, no public office or person responsible for public records may limit or condition the availability of Public Records by requiring disclosure of the requester's identity or the intended use of the requested public record. Any such requirement constitutes a denial of the request.

However, a public office or person responsible for public records is allowed to ask a requester to make the request in writing, to ask for the requester's identity, and to inquire about the intended use of the information requested, but only after disclosing to the requester may decline to identify him or herself. When written requests, identification or intended use is requested, the requester must be informed that a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for the public records to identify, locate, or deliver the public records sought by the requester.

E. OBTAINING COPIES OF PUBLIC RECORDS

The requester of a public record may choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon other medium upon which the public office or person responsible for the public record keeps it, or upon the medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. Costs thereof may be required in advance. Normal paper copy cost has been established by the Village at the rate of seven cents per page. When requested by a person and when practical to do so, it will be the policy of the Village to make the copies. Contracted labor costs may be passed on to the requester; however, the Village will endeavor to obtain those costs in advance of fulfilling the request.

The Village will transmit, subject to advance payment thereof, a copy of the public record to any person by United States mail or by any other means of delivery or transmission within a reasonable period of time after receiving the request. The Village limits the number of records requested by a person that the office will transmit by United States mail to ten per month, unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

F. DISPOSAL OF PUBLIC RECORDS

Records will be disposed of only in accordance with approved records retention schedule and applicable law.