Rock Valley College

Receiving a FOIA Request

RVC Administrative Procedure (2:10.020)

A. Purpose

The purpose of the standard is to describe what to do when an employee receives a record (or FOIA) request for Rock Valley College.

B. Department and Primary Point of Contact Involved

Division: Institutional Effectiveness and Communications

Department: Communications & Marketing

Points of Contact: Executive Director of College Communications/FOIA Officer, Manager of Communications/Deputy FOIA Officer

C. Definitions

FOIA – Freedom of Information Act - The Illinois Freedom of Information Act (FOIA), codified in 5 ILCS 140, allows the public to access records held by public agencies through a written request. The FOIA defines a public record as any documentary material related to public business, including but not limited to records, reports, forms, writings, letters, memoranda, books, papers, maps, and photographs.

FOIA Officer - a person appointed by the "public body." The FOIA officer's responsibility is to receive FOIA requests from the public and to send responses in compliance with FOIA.

FOIA Deputy Officer – the designated backup for the FOIA Officer.

Commercial Request - defines a FOIA request for commercial purposes [5 ILCS 140/1 et seq.] in those instances where a use of any part of the public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sale or services.

D. Procedures

Pursuant to 5 ILCS 140/FOIA, the College has five business days to respond to non-commercial requests and 21 business days to respond to commercial requests.

Any and all requests for records should be sent to the Executive Director of College Communications (RVC FOIA Officer) upon receipt. Holding onto requests or failing to forward them can cause the College to violate 5 ILCS 140/FOIA.

The Executive Director of College Communications is the college's designated FOIA Officer. As such, they are responsible for logging, responding to, and maintaining all records associated with FOIA requests. Therefore, employees should not respond to records requests on behalf of the College. Only the FOIA Officer and the Deputy FOIA Officer are authorized to respond to FOIA (records) requests on behalf of Rock Valley College. Any college employee may accept a request but must forward it to the FOIA Officer and Deputy FOIA Officer upon receipt for processing and response.

Additional information:

- Individuals submitting FOIA requests are not required to identify themselves or the reason they are seeking a record(s)
- FOIA requests are not required to be submitted via a FOIA form; requests may also be made via mail, email, phone, in person, or other delivery modes.
- The time to respond starts on the day the college receives the request, not at the time it is necessarily received by the FOIA officer(s).
- Under the FOIA section 4(a) (5 ILCS 140/4(a)), the college is required to post its mission, organization structure, operating budget, locations, governing board, and instructions for submitting FOIA requests. This information is posted at the main entrance of each RVC campus.

E. Related Documents

https://www.rockvalleycollege.edu/about/communications/freedom-of-information-act

https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&ChapterID=2

Reference: Board Report 6679
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