

*NOTICE: When responding to this request, please send your response as a "Reply" email to the original inbound email [ad.cuius.bonum@proton.me] rather than starting a new thread. To maintain a single thread, please ensure that each subsequent response is sent as a "Reply" to the most recent inbound email from the other party. Additionally, please remove any "Re: " prefix (or any other "Reply" abbreviation, if any) from the subject line prior to clicking "Send" to ensure that all emails related to this request have the same exact "Subject" line text for sorting purposes. This approach aligns with the statutory duty under 5 ILCS 140/3.5(a)(4), which requires the retention of written communications and responses, ensuring efficient compliance with the Illinois Freedom of Information Act. By maintaining a single thread, we can ensure that all communications are efficiently organized and retained, facilitating compliance and making it easier to track and archive our interaction. In accordance with the Act's emphasis on providing records "as expeditiously and efficiently as possible," we appreciate your prompt and efficient handling of this request.*

*Thank you in advance for your cooperation in maintaining the suggested structured communication practice, which we both should be able to agree, is essential for efficient communications, record-keeping, and compliance.*

**March 14, 2025**

**RE: FOIA Request #1 for Financial Records data (5 ILCS 140/2.5)**

Dear Superintendent,

## **INTRODUCTION**

We are writing to submit a request under the Illinois Freedom of Information Act (5 ILCS 140) for public records. We are submitting this request for non-commercial purposes. As such, we expect a response by Friday, March 21, 2025, which is five working days from the date of receipt by the public body (5 ILCS 140/3(d)).

If you are the appointed Freedom of Information Act officer for this public body, please acknowledge receipt of this request and confirm that it is being processed. If you are not the FOIA officer responsible for handling financial records, please immediately forward this request to the Treasurer, who is the legal custodian of the school district's funds and maintains the records related to financial transactions, fund balances, and checking accounts. Please add our email address, **ad.cuius.bonum@proton.me**, as a "Cc" to any email forwarding this FOIA request to either the Treasurer or FOIA officer, so that we are made aware that the process of a reply has begun.

As the Superintendent and "Head of the public body" under the Illinois FOIA statute, you have a statutory duty to ensure compliance with this request. According to the statute, "Head of the public body" means the president, mayor, chairman, or other chief executive or administrative officer elected or appointed to the office of the public body, or, in the case of a public body that does not have an elected or appointed chief executive or administrative officer, the person who is

responsible for conducting the affairs of the public body (5 ILCS 140/2). This designation is crucial for maintaining accountability and ensuring that FOIA requests are handled properly, as it creates a clear line of responsibility for compliance with the Act.

The Illinois General Assembly included this definition to ensure that there is a specific individual accountable for compliance, aligning with the FOIA's purpose of promoting transparency and accountability in government operations. The preamble to the FOIA emphasizes the importance of transparency and accountability, and by designating a "Head of the public body," the statute reinforces these principles by providing a structured approach to compliance.

We are submitting this request to the official email address designated by the Illinois State Board of Education for communication with the school district's chief administrator. This ensures that the request is directed to the appropriate individual responsible for ensuring full compliance with the FOIA statute.

We **demand** that our email address, **ad.cuius.bonum@proton.me**, be added to the contact list within the email program of the Head of the public body, FOIA officer(s), and Treasurer. This is essential to prevent future communications from being inadvertently flagged as spam or junk mail. Failure to do so could lead to delayed or missed responses to subsequent requests. Failure to update the contact list after being explicitly instructed to do so, and despite being informed of the importance of this action to prevent emails from being flagged as spam, may be considered a negligent or bad faith act. This negligence could lead to missed or delayed responses to subsequent FOIA requests, which could be asserted as part of any civil action taken to enforce compliance with the Act. We will not tolerate any attempts to avoid compliance through technical oversights or negligence.

As required by the Illinois Freedom of Information Act, we expect a timely response and full compliance with this request. Failure to comply may result in legal action to enforce our rights under the Act.

## **REQUESTED RECORDS**

We are requesting the actual electronic data maintained by the Treasurer's office for the annual expenses paid to identified vendors, firms, and individuals for the fiscal years 2024, 2014, and 2004 by the school district, including any predecessor districts that existed at the end of each respective fiscal year and have since consolidated or annexed into the current district. This includes all relevant financial data from districts that, at the time, were separate entities but now form part of the current district. For example, if Districts #100 and #200 were separate in 2004 but consolidated into District #300 in 2010, we would request data for Districts #100 and #200 individually for 2004, and then only for District #300 for 2014 and 2024. This request specifically excludes salaries, wages, and benefits paid to staff members. We are interested in vendors, firms, and individuals who have received total payments of \$500 or more for each fiscal year, regardless of whether this total comes from a single payment or multiple payments.

These records should be provided in their native electronic format, as they are maintained by the Treasurer. Specifically, we are seeking the data contained within each cell of the Excel worksheets used by the Treasurer to track these financial transactions. This data should be provided in a single Excel workbook file, with each fiscal year's data on a separate worksheet tab. We suggest labeling each tab as "FYxxxx," where "xxxx" represents the respective fiscal year (e.g., FY2024, FY2014, and FY2004). The requested format for the data within each tab is as follows:

- **Column A: Fiscal Year** - The specific fiscal year for which the data applies (e.g., 2024, 2014, and 2004).
- **Column B: Person/Firm/Contractor Name** - The full name of the person, firm or contractor receiving payments.
- **Column C: Aggregate Amount Paid** - The total aggregate dollar amount paid to each vendor or contractor for the respective fiscal year.

	A	B	C	D
1	Fiscal Year	Person, Firm, or Corp	Aggregate Amount	
2	2024	Acme Books	\$4,235.00	
3	2024	Apple Computer	\$4,235.00	
4	2024	Ameren Illinois	\$76,511.24	
5	2024			
6	2024			
7	2024			
8	2024			
9	2024			
10	2024			
11	2024			
12	2024			
13				
14				

By maintaining a structured system gathering expenditure data for vendors, contractors, individuals, etc. at or greater than \$500 in a single, organized file, this approach transforms raw data into actionable information. It creates a centralized repository that can be easily updated annually by the Treasurer, allowing for seamless additions of new fiscal year data. This "evergreen" file will serve as a valuable resource, first and foremost, for the elected members of the Board of Education who collectively oversee the public body, secondly for the taxpayers who fund the public body, and also for parents, employees, media, academic researchers, and other community stakeholders, enhancing transparency and facilitating informed decision-making and long-term analysis of financial trends. It also aligns with best practices for record-keeping and compliance, ensuring that financial information remains accessible and organized over time.

In the event that we submit subsequent FOIA requests for additional fiscal years, we kindly request that these new data sets be added to the same Excel workbook file, maintaining the same format and organization. This will allow us to keep all relevant data in a single, searchable file, enhancing our ability to analyze and compare financial information across multiple years.

## FORMAT AND DELIVERY

Pursuant to 5 ILCS 140/3(e), we request that these records be provided in an electronic format, as they are already maintained in such a format for submission to the ISBE. This will ensure compliance with the Act's provisions regarding the provision of records in a reasonable electronic format.

We request that the Treasurer certify the electronically maintained data in a manner similar to the following:

"I, [Treasurer's Name], Treasurer of [School District Name, County and RCDT Number], do hereby certify that the attached records, which consist of expenditure data for vendors, contractors, and individuals (i.e., excluding the salaries and benefits of staff and employees), at or greater than \$500 for the fiscal years 2024, 2014, and 2004, are true, correct, and complete copies of all relevant records found in the files of the Office of the School Treasurer, official custodian of all district money as well as all investments owned by the district. These records are provided in response to a Freedom of Information Act request received by the public body on [Date Received], as evidenced by the email server timestamp. I further certify that these records include all information responsive to the request and that no other records exist that are not included in this response."

Additionally, we request a waiver of any applicable certification fee, as this request serves the public interest by promoting transparency and accountability in the use of public funds.

### **STATUTORY REQUIREMENTS AND EXPECTATIONS**

Under the Illinois Freedom of Information Act, all records in the custody or possession of a public body are presumed to be open to inspection or copying, unless the public body can prove by clear and convincing evidence that the records are exempt from disclosure (5 ILCS 140/1.2). We expect a timely response and adherence to the statutory requirements. Public bodies are required to respond to requests within five working days after receipt of the request, unless an extension is properly justified (5 ILCS 140/3(d)).

Any failure to comply with this request will be viewed as indifference or negligence in fulfilling statutory duties. If necessary, we will pursue all available legal remedies, including filing complaints for official misconduct under Section 33-3 of the Illinois Criminal Code (720 ILCS 5/33-3), which may result in felony charges against responsible officials, including the Superintendent. Additionally, we may seek injunctive relief, attorney fees, and civil penalties as provided under the Illinois Freedom of Information Act, to ensure that our rights under FOIA are respected.

### **CONCLUSION AND NEXT STEPS**

We understand that the Act permits a public body to charge a reasonable copying fee not to exceed the actual cost of reproduction. However, we are requesting a waiver of any applicable copying or processing fees, as this request serves the public interest by promoting transparency and accountability in the use of public funds. By disclosing these records, the public can better understand how financial resources are allocated and ensure that they are used efficiently and effectively.

Thank you.

**Email Address:**

ad.cuius.bonum@proton.me

**Email Body:**

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Reply above this line.

**Date: March 14, 2025**

**Subject Line: [County\*Type+##\*Name (xx-xxx-xxxx-xx): FOIA REQUEST #1]**

Dear Superintendent,

See attached FOIA Request.

When initially responding to the attached FOIA request, please send the first response as a "Reply" email to **ad.cuius.bonum@proton.me** rather than starting a new thread via a new email. If both parties respond in the same manner (responding to the most recent inbound email from the other party) until the request is fulfilled, there will only be one email thread. Additionally, please remove any "Re: " prefix (or any other "Reply" abbreviation, if any) from the subject line prior to clicking "Send" to ensure that all "Reply" emails related to this request have the same exact "Subject" line text (see above) for sorting purposes. This approach aligns with the statutory duty under 5 ILCS 140/3.5(a)(4), which requires the retention of written communications and responses. By maintaining a single thread, we can ensure that all communications are efficiently organized and retained, facilitating compliance with the Illinois Freedom of Information Act. Thank you in advance for your cooperation in maintaining the suggested structured communication practice, which we both should be able to agree, is essential for efficient communications, record-keeping, and compliance.

Thus, all written communications surrounding the fulfillment of this FOIA can be archived (print-to-PDF) by both the FOIA officer and the requester as a single document, maintaining a clear and organized record of our interaction.

The 5-day due date for this request is: Friday, March 21, 2025

Thank you for your immediate attention to this public records request.

**Email Address:**

**ad.cuius.bonum@proton.me**