**Section 951.45 Restrictions on Availability of Public Records**

a) FOIA requests submitted to the Department are themselves public records and may be disclosed to the public upon request. However, any portion of the documents which are determined to be exempt pursuant to provisions of FOIA or other statutes or regulations will be withheld from public disclosure. Part or all of a FOIA request will be withheld from public disclosure if a requester submits, in writing, a specific, valid judicial or statutory basis for claiming confidentiality. The Department will not determine a faxed request to be exempt from disclosure solely on the basis of accompaniment by a standardized claim of confidentiality.

b) Social Security numbers, tax identification numbers, other personally identifying information, residence, employment history and personal financial information contained in Department records are considered confidential and will be withheld from public disclosure.

c) The Department may make a determination that certain documents or information are confidential, proprietary or privileged pursuant to Section 404 of the Code. When such a determination has been made, the documents or information will be withheld from public disclosure.

d) Information that bears on the public duties of public employees may be disclosed pursuant to FOIA. Employee information which may not be disclosed pursuant to FOIA includes, but is not limited to, those items identified in subsection (b) of this Section, and confidential documents and information contained in the employee’s personnel file.

(Source: Added at 26 Ill. Reg. 18276, effective December 16, 2002)