**Section 1850.10 Provision of Information**

a) Summary and Purpose

1) This Subpart A implements the provisions of the Freedom of Information Act [5 ILCS 140]. The purpose of this Subpart A is to support the policy of providing public access to the public records in the possession of the Illinois Purchased Care Review Board while, at the same time, protecting legitimate privacy interests and maintaining administrative efficiency.

2) This Subpart A creates a procedure by which the public may request and obtain public records.

b) Definitions

1) Terms used in this Subpart A shall have the same meaning as in the Freedom of Information Act.

2) "FOIA" means the Freedom of Information Act.

3) "Freedom of Information Officer" means an individual employed by the Illinois State Board of Education, or his or her designee, who is responsible for receiving and responding to requests for public records.

4) "Requester" means a person who submits a request for public records in accordance with this Subpart A.

5) "Board " means the Illinois Purchased Care Review Board.

c) Person to Whom Requests Are Submitted

1) Requests for public records shall be submitted in writing to the Freedom of Information Officer. Requests may be submitted by mail at the Freedom of Information Office, Illinois State Board of Education, 100 North First Street, Springfield, Illinois 63777, ATTN: FOIA Request; by email to foia@isbe.net; or by facsimile at 217-524-8585.

2) Oral requests for public records shall not be accepted.

d) Form and Content of Requests

1) The requester shall provide the following information in a request for public records:

A) The requester's full name, address and phone number, except that a requester who wishes to remain anonymous is not required to submit this information;

B) A brief description of the public records sought, being as specific as possible;

C) Whether the request is for inspection of public records, copies of public records, or both;

D) The medium and format of the public records sought (i.e., paper, specific electronic medium);

E) Whether the request is for a commercial purpose as defined in Section 3.1 of the FOIA; and

F) Whether the request is a resubmission under Section 8.5 of the FOIA, to include an explanation of the requester's *inability to access the record online*.

2) A request for copies of public records may request that the records be certified.

e) Timeline for Response

1) The Board shall respond to a written request for public records within the timeline provided in Section 3, Section 3.1 or Section 3.6 of the FOIA. The timeline shall begin on the day after the request is received by the Board, regardless of whether the written request is submitted in accordance with the provisions of subsection (c).

2) The Board may avail itself of all extensions of time and exceptions set forth in the FOIA.

f) Types of Responses

1) The Board shall respond to a request for public records in one of three ways:

A) Approve the request;

B) Approve in part and deny in part; or

C) Deny the request.

2) Upon approval of a request for public records, the Board shall:

A) make available the records;

B) give notice that the material shall be made available upon payment of any fees charged pursuant to subsection (h);

C) give notice of the time and place for inspection of the materials requested; or

D) provide the website address where the records may be accessed.

3) A written request from the Board to the requester for additional information provided within the timelines specified in Section 3, Section 3.1 or Section 3.6 of FOIA shall be considered a response to the FOIA request.

4) An individual or entity whose request for public records has been denied by the Board may seek a review of that decision by the Public Access Counselor in accordance with the provisions of Section 9.5 of the FOIA.

g) Inspection of Records at Board Offices

1) Public records will be made available for inspection during normal working hours of the Board at the office of the Freedom of Information Officer.

2) Documents that the requester wishes to have copied shall be segregated during the course of the inspection. Generally, all copying shall be done by staff to the Board.

3) Unless otherwise arranged, the inspection of records shall take place at the office of the Freedom of Information Officer. For purposes of convenience, either the Board or the requester may request that inspection take place in another department or office location.

4) An employee of the Board may be present throughout the inspection. A requester may be prohibited from bringing bags, brief cases or other containers into the inspection room.

h) Copies of Public Records

1) Copies of public records shall be provided to the requester only upon payment of any charges that are due.

2) Charges for copies of public records shall be assessed in accordance with the "Fee Schedule for Duplication of Public Records" in Appendix B. Fees for "voluminous" records that are provided in an electronic format shall be as set forth in Section 6(a-5) of the FOIA.

3) Charges shall be waived if the requester is a State agency, a constitutional officer or a member of the General Assembly. Charges shall not be waived when the records are to be used for political campaign purposes. Charges may be waived in any other case where the Board determines that the waiver serves the public interest.

i) General Materials Available from the Freedom of Information Officer.

The Freedom of Information Officer shall make available to the public at no charge the following materials:

1) A brief description of the organizational structure and budget of the Board;

2) A brief description of the means for requesting information and public records;

3) A list of types and categories of public records maintained by the Board; and

4) A fee schedule for duplication of public records.

(Source: Amended at 39 Ill. Reg. 6640, effective April 27, 2015)