**Section 2525.40 Procedures for Commission's Response to Request for Public Records**

a) The Commission shall respond to a written request for public records within 7 working days after receipt of the request.

b) In the event that the request for public records cannot be responded to within 7 days for one of the reasons provided in Section 3(d) of FOIA, the Commission shall have an additional 7 working days in which to respond. The Commission shall give the requestor notice of the extension of time to respond. The notice of extension shall set forth the reasons why extension is necessary.

c) The Commission shall respond to a request for public records in one of 3 ways:

1) Approve the request;

2) Approve in part and deny in part;

3) Deny the request.

d) When a request for public records has been approved, the Commission may give notice that the requested material will be made available upon payment of reproduction costs, or give notice of the time and place for inspection of the requested material.

e) A denial of a request for public records shall be made in writing. It shall state the reasons for the denial in accordance with either Section 3(f) or Section 7 of FOIA and the names and titles of persons responsible for the decision to deny the request. The denial shall also inform the requestor of the right to appeal to the President of the Commission.

f) Categorical requests that place an undue burden on the Commission shall be denied only after extending to the requestor an opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3(f) of FOIA.

g) Failure to respond to a written request within 7 working days may be considered by the requestor as a denial of the request.

h) A requestor whose request for public records has been denied by the Executive Director may appeal the denial to the President. The notice of appeal shall be in writing and shall include a copy of the original request, a copy of the denial received by the requestor, and a written statement setting forth the reasons why the requestor believes the appeal should be granted.

i) The President shall respond to an appeal within 7 working days after receiving notice of the appeal. The President shall either affirm the denial or provide access to the requested public records. Failure of the President to respond within 7 working days may be considered by the requestor an affirmation of the denial.

(Source: Amended at 29 Ill. Reg. 20428, effective December 31, 2005)