**Section 2676.20 Availability of Certain Records**

a) The following records maintained by the Board are available for public inspection.

1) Dockets of cases filed with the Board.

2) Pending Representation Petitions (including for certification, decertification, clarification and amendment of certification).

3) Current certifications of exclusive bargaining representatives and certifications of result.

4) Pending unfair labor practice charges.

5) Decisions and Orders rendered by hearing officers, Administrative Law Judges, the Executive Director and the Board.

6) The Labor Mediation Roster, including vitae of roster members.

7) Open Session Minutes and Agendas of Board meetings.

8) Freedom of Information Requests and the records showing their dispositions. Information the disclosure of which would constitute a clearly unwarranted invasion of the personal privacy of a requester will be redacted, unless the requester consents to the disclosure in writing.

9) Files in unfair labor practice and representation cases, except for the information described in subsection (b).

10) Hearing records, including transcripts, exhibits, briefs filed to hearing officers and Administrative Law Judges, exceptions, cross-exceptions and briefs filed with the Board, and other record materials from Board-conducted hearings in both representation and unfair labor practice cases.

11) Mediation/arbitration records, other than those dealing with mediations conducted by Board personnel.

12) Rulemaking files, except for preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except to the extent that a record or a relevant portion of a record is publicly cited and identified by the Chairman of the Board.

13) Collective bargaining agreements filed with the Board by covered employers.

14) Records relating to the obligation, receipt and use of public funds of the State and school districts.

b) The following records are regarded as confidential and exempt from disclosure pursuant to the Board's Freedom of Information procedures.

1) Showings of Interest submitted to the Board in conjunction with petitions in representation cases, and materials generated by the Board's investigations of those showings.

2) Files in pending unfair labor practice and representation cases.

3) Records in representation cases potentially identifying voters (or non-voters) and the character of their votes in secret ballot elections conducted by the Board.

4) Information regarding Board employees that constitutes private information as defined in Section 2(c-5) of the Freedom of Information Act [5 ILCS 140] is prohibited from being disclosed by the Personnel Records Review Act [820 ILCS 40] is exempted from disclosure under the State Officials and Employees Ethics Act [5 ILCS 430], constitutes examination data used to determine the qualifications of an applicant for employment, or relates to the Board's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.

5) Preliminary drafts, notes, recommendations, memoranda and other records by Board members or Board personnel in which opinions are expressed or policies or actions are formulated, except when a record or a relevant portion of a record is publicly cited and identified by the Chairman of the Board.

6) Drafts, notes, recommendations, memoranda and other materials, including communications between Board personnel and attorneys representing the Board, relating to pending litigation involving the Board.

7) Information contained in files in representation and unfair labor practice cases that constitutes private information as defined in Section 2(c-5) of the Freedom of Information Act or personal information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy as defined in Section 7(c) of the Freedom of Information Act, unless the disclosure is consented to in writing by the individual subjects of the information.

8) Affidavits submitted in unfair labor practice cases and the identity of the persons giving the affidavits.

9) Communications made during mediations conducted by employees of the Board, other than settlement agreements entered into by or on behalf of a public body.

10) Proposals and bids for any contract or agreement, or information prepared by or for the Board in preparation for a bid solicitation, including information that, if it were disclosed, would frustrate procurement or give an advantage to any person proposing to enter into a contract agreement with the Board.

11) Information received by an educational employer under its procedures for evaluation of faculty members by their academic peers, and course materials or research materials used by faculty members.

12) Closed Session Minutes of Board meetings.

13) Administrative or technical information associated with automated data processing operations that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt from disclosure under Section 7 of the Freedom of Information Act.

14) Records relating to collective negotiating matters between public bodies and their employees or representatives, except for any final contract or agreement.

15) Materials prepared or compiled with respect to internal audits of the Board.

c) All other records maintained by the Board shall be available for public inspection, to the extent mandated by the Freedom of Information Act, pursuant to the procedures specified in Section 2676.30.

(Source: Amended at 35 Ill. Reg. 14426, effective August 12, 2011)