**Section 1828.406 Agency's Treatment of Public Record Claimed or Determined To Be Exempt from Disclosure**

a) Where any public record, or portion thereof, is determined to be exempt from disclosure, the Agency shall:

1) Mark the public record or portion thereof, or the public record file, accordingly;

2) Segregate the public record or portion thereof from public records that are open to public inspection;

3) Keep the public record or portion thereof secure from unauthorized access;

4) Allow the public access to the claim letter and, if only a portion is exempt, to a copy of the public record with the exempt portion deleted; and

5) Limit access to the public record or portion thereof to employees and officers who are authorized to review such public records.

b) The Agency shall insure that all authorized employees and officers are given notice of the restrictions contained in this Part on disclosure to and use by the public. No Agency officer, employee, or authorized representative may disclose, except as authorized by this Subpart, or use for private gain or advantage, any public record or portion thereof that is determined to be exempt from disclosure.

c) The Agency shall manage any public record or portion thereof claimed to be exempt from disclosure as exempt pending disposition of the claim.

(Source: Amended at 34 Ill. Reg. 15377, effective September 23, 2010)