

From: Kirk Allen
Sent: Friday, November 6, 2015 10:09 AM
To: 'Mitchell, Barbara Jo' <mitchell@cod.edu>; 'Emily Shupe' <EShupe@rathjewoodward.com>
Subject: FW: FOIA Request

In accordance with the Freedom of Information Act I am requesting the following.

1. Copy of the Internal Audit regarding Hericane Graphics most recent contract found to have been in violation of the timeline requirements.

According to Sec. 3. (a) of FOIA, Each public body shall make available to any person for inspection or copying all public records, except as otherwise provided in Sections 7 and 8.5 of this Act. Notwithstanding any other law, a public body may not grant to any person or entity, whether by contract, license, or otherwise, the exclusive right to access and disseminate any public record as defined in this Act.

The HLC report recently issued disclosed communications with the COD auditor and reported the Hericane Graphics contract being invalid. I believe sharing that information with the HLC constitutes providing them with an exclusive right to access a public record. Considering FOIA forbids providing exclusive right to access public records, I am asking for a copy of the referenced internal audit to be released under my FOIA request.

2. Copy of the Hericane Graphics contract that was deemed invalid by the Auditor to include all affiliated documents and communications related to the seeking of and issuance of that contract. This would include any RFP, Bid Notice, Bids received etc.

I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests for commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).

I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

In the event that fulfillment of the request requires time beyond the statutory deadline to produce a substantial volume of records, I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

The purpose of the request is to access and disseminate information regarding the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

As outlined in FOIA, documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,
Kirk Allen
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Kansas, IL 61933