

**AGENDA ITEM 13B.**

**REPORT OF REDETERMINATION REGARDING CONFIDENTIALITY**

**Submitted for:** Action

**Summary:** While the Illinois Open Meetings Act, [5 ILCS 120] (the “**Open Meetings Act**”) generally requires that public bodies conduct their business at meetings that are open to the public, the Open Meetings Act also provides various exceptions for matters to be discussed in a closed session. In compliance with the Open Meetings Act, the Illinois Student Assistance Commission (ISAC) has, from time to time, held closed meetings to discuss certain confidential matters that are exempt from public disclosure under the Open Meetings Act.

Under the Open Meetings Act, ISAC is required to meet at least semi-annually to review minutes of closed meetings to determine (1) whether the need for confidentiality still exists as to all or a part of the closed meeting minutes or (2) whether the minutes or portions thereof no longer require confidential treatment and are available for public inspection. [5 ILCS 120/ 2.06(d)]

While the Commission may discuss approval of the minutes and the determination of confidential treatment in closed session, the Commission must return to open session to act upon its determination.

This agenda item pertains to the redetermination of confidentiality for the closed minutes for the September 16, 2013 and April 22, 2014, January 10, 2014, January 30, 2014, and July 22, 2014, meetings. This item also pertains to the initial determination of confidentiality for the closed minutes for April 8, 2016 joint meeting of the Investment Committee and the Audit Committee.

The General Counsel has made a determination of whether or not the need for confidential treatment still exists and if the minutes should remain closed or opened to the public. That recommendation is listed on the attached table.

**Action requested:** “**BE IT RESOLVED** that the Commission has determined the need for confidentiality still exists for the minutes of its closed sessions for September 16, 2013, January 10, 2014, January 30, 2014, April 22, 2014, and the July 22, 2014 and therefore should remain closed”.

**BE IT FURTHER RESOLVED** that the need for confidentiality no longer exists for the minutes of the closed session for the April 8, 2016 joint meeting of the Investment Committee and the Audit Committee.