**Section 420.220 General Particulars**

a) COMMENCEMENT OF INVESTIGATIONS. An investigation after being authorized pursuant to Section 3-4 ISAA shall be commenced only upon the written direction of the Auditor General or Deputy Auditor General to an Audit Manager.

b) NOTICE OF INVESTIGATION TO PARTIES.

1) The Audit Manager shall make a reasonable attempt to notify each party who is named in the resolution directing the investigation of the existence of the investigation and provide as part of this notice: a copy of the resolution directing the investigation; a copy of the Audit Manager's assignment by the Auditor General; a copy of the agency notification to employees; and a copy of this regulation.

2) Reasonable attempt to notify a party shall be accomplished:

A) If the party is an agency or artificial person, by

i) personal delivery to an officer or lawful agent; or

ii) certified U.S. mail, return receipt requested, addressed to an officer or lawful agent at any office of the agency or artificial person.

B) If the party is a natural person, by

i) personal delivery; or

ii) certified U.S. mail, return receipt requested, addressed to the person at the person's last known address or principal place of business or employment.

3) For purposes of this subsection (b), the phrase a "party who is named in the resolution" means any individual, business, partnership, agency, corporation or other entity that the resolution specifically requires the Auditor General to investigate and from whom the Auditor General is required to obtain information during the course of conducting the investigation.

c) AGENCY NOTIFICATION TO EMPLOYEES.

1) Within seven (7) days after the receipt of a notification of investigation, the chief executive officer (or person acting in his or her stead) of any agency involved in the investigation shall sign and cause to be circulated to those persons designated by the Audit Manager and such other persons as determined by the agency head, the Notice to Cooperate provided by the Office of the Auditor General. A signed copy of the notice shall also be given to the Audit Manager.

2) This notice shall be in the following form:

NOTICE TO COOPERATE IN INVESTIGATION

CONDUCTED BY THE AUDITOR GENERAL TO ALL EMPLOYEES:

 Please be advised that has by resolution directed the Auditor General to investigate (set out specific language of resolution).

The Illinois State Auditing Act provides that the officers and employees of our agency shall make available to the Auditor General or the Auditor General's designated representative any record or information requested and shall provide for examination or copying all records, accounts, papers, reports, vouchers, correspondence, books and other documentation in the custody of the agency including information stored in electronic data processing systems which is related to or within the scope of the investigation described above.

*(Agency Head may include a paragraph to remind personnel of statutory requirements of confidentiality, if any, that apply to the agency.)*

|  |
| --- |
|  |
|  |
|  |

Please extend your complete cooperation.

|  |
| --- |
| Agency Head |

d) AGENCY RESPONSE TO NOTIFICATION. Within seven (7) days after receipt of the Notice of Investigation as provided in subsection (b) above, the chief executive officer or the person acting in his or her stead shall notify the Audit Manager of the name of some knowledgeable employee who shall be available to aid the Auditor General's representatives in locating material under the agency's control or in determining which agency personnel or other persons have knowledge of any matters within the scope of the investigation.

e) APPEAL TO THE AUDITOR GENERAL. When a controversy arises during the course of an investigation between the Audit Manager and a person named in the resolution or an agency involved in an investigation, the controverted issue may be appealed to the Auditor General by the person named or the agency head by submitting a concise statement of the controverted issue in writing to the Auditor General at the Auditor General's office in Springfield, Illinois. The Auditor General shall issue a written response within 5 days.

(Source: Amended at 20 Ill. Reg. 701, effective January 31, 1996)