

# UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

May 21, 2014

Tyler Kobylski  
[REDACTED]

Re: FOIA #14-320

Dear Mr. Kobylski:

I write to respond to your Freedom of Information request of May 7, 2014, and received in my office on that date, in which you requested:

“... a PDF copy of the entire packet [received by Dean Brian Farber on Friday May 2, 2014].”

Please be advised, your request is denied pursuant to the following section(s) of the Act:

- 140/7(1)(a) that exempts from disclosure “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing adopted under federal or State law.” The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g) protects the privacy of student education records and prohibits the release of any information from a student’s education record without the consent of the eligible student. The responsive documents contain student records that are prohibited from being released under FERPA.
- 140/7(1)(c) that exempts from disclosure “Personal information contained within public records, the disclosure of which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” This includes student records and information that could lead to the identification of a person who issued a complaint.
- 140/7(1)(d)(iv) exempts records that would “unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies.” The requested documents include information provided by a person who provided information and issued a complaint to an administrative office. Disclosure of this information could further lead to the identification of the person who issued the complaint.
- 140/7(1)(f) that exempts from disclosure “Preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record of relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body.” The requested documents include communications that contain the opinions of the drafter.
- 140/7(1)(j)(iii) that exempts from disclosure “information concerning a school or university’s adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student.” In this case, disclosure of the requested documents could reveal the identity of a person who provided information in a disciplinary case.

You have a right, under the law, to seek a review of this response by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 217-782-1396, by email to [publicaccess\[at\]atg.state.il.us](mailto:publicaccess[at]atg.state.il.us), or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

Office for University Relations

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If you have questions for our office, please contact 217-333-6400.

Sincerely,

Thomas P. Hardy  
Executive Director  
and Chief Records Officer