

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

May 8, 2014

David Mercer
Associated Press

Re: FOIAs #268, 269, 270, 271, 272, 279

Dear Mr. Mercer:

I write to respond to your Freedom of Information requests of April 24 and 25, 2014, and received in my office on those dates, in which you requested:

"...requesting copies of records, including emails, text messages, memoranda, reports, meeting minutes, speeches or other documents; between June 1, 2013, and [April 24, 2014]; written by or received by the university president, as well as the following officials at the Urbana-Champaign campus: the chancellor, the athletic director, compliance director, head football coach or assistant football coaches; on the following subjects:

- The Collegiate Athlete Players Association or similar union-like organizations
- Compensation of student athletes
- Health insurance for student athletes
- Stipends for student athletes
- The National Labor Relations Board (NLRB), as well as Peter Ohr's decision
- Employment classification for student athletes"

Information responsive to your request is available and attached. These are public documents numbering 107 pages.

Portions of these documents have been redacted and other documents have been withheld 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." Under this exemption, documents containing legal advice given by an attorney that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct were redacted or withheld from the responsive documents.
- 140/7(1)(b) that exempts from disclosure "Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order." This includes cell phone numbers and private email addresses.
- 140/7(1)(f) of FOIA, which exempts "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." This includes draft documents and communications containing deliberations, opinions, proposed actions and recommendations.

Office for University Relations

Urbana • 506 South Wright Street, MC 370 • Urbana, IL 61801 • (217) 333-6400 • Fax (217) 333-5733
Chicago • 1737 West Polk Street, MC 971 • Chicago, IL 60612 • (312) 996-3772 • Fax (312) 996-1836

- 140/7(1)(m) that exempts from disclosure “Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body...” Pursuant to this exemption, communications covered under the attorney client privilege and/or the work product doctrine that would not be subject to discovery were redacted or withheld from the responsive records.

Should you wish to inspect or receive a physical copy of these documents, please call Melanie Kuehn at the phone number below and she will provide you with all necessary details.

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@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.

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

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer