


UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

June 20, 2014

Richard Laugesen


Re: FOIA #14-416

Dear Mr. Laugesen:

I write to respond to your Freedom of Information request of June 5, 2014, and received in my office on June 6, 2014, in which you requested:

“The IPEDS (Integrated Postsecondary Education Data System, from the United States Department of Education) reports for the **2012-13 fiscal year.**”

We are not permitted to share the data that are in the IPEDS data collection system; technically, these data belong to NCES and therefore are subject to NCES confidentiality requirements. Documents that are provided to IPEDS by the University are considered draft data by both the University and IPEDS until publication. According to IPEDS, “Early Release data are provided for peer analysis only, and should not be used to provide aggregate estimates.” See http://nces.ed.gov/ipeds/submit_data/lifecycle_text.asp for more details.

Accordingly, these documents have been withheld pursuant to section 140/7(1)(f) of the Act 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.” This includes communications containing drafts, deliberations, opinions, proposed actions and recommendations. The financial data you seek is considered draft data until published by IPEDS as it may, until that time, be returned to the University for additional information or clarification.

We expect that IPEDS will post their data by October of this year. At that time it will be available on their website.

Please note that even if these files were not in draft form, some of the files you have requested are not available to the public. NCES is required by law to protect against the disclosure of individually identifiable information collected by IPEDS. Four IPEDS data files contain this individually identifiable information: Salaries, Fall Staff, Graduation Rates, and Student Financial Aid. These files are exempt from disclosure under section 140/7(1)(f), as noted above, at this time, as well as under section 140/7(1)(a), which exempts from disclosure:

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)(a) "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. Therefore, as the four reports contain identifiable student information, they are exempt from production at this time.

Student information would also be exempt from production as personal information under Section 7(1)(c) of the Act. Section 7(1)(c) exempts:

140/7(1)(c) "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."

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