

# UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

June 2, 2014

John Lappe  


Re: FOIA 14-351

Dear Mr. Lappe:

I write to respond to your Freedom of Information request of March 15, 2014, and received in my office on May 16, 2014, in which you requested:

“...policies surrounding [the ER Referral List - Pilot Program] or other related documentation as to its purpose and the procedures involved with it....

...any document that constitutes that referral [of Kevin Frerichs on 2/25/11] or authorized it to take place....

...a list of other applicants interviewed for the position, including resumes....

...when the notice was first published...”

Information responsive to your request is available and attached. These are public documents numbering 9 pages.

Information responsive to the first point of your request is available on the website of the State Universities Civil Service System (SUCSS), at <https://www.sucss.illinois.gov/pp.aspx?osm=c21>. An additional document related to program implementation is attached. As the University is not responsible for the SUCSS, we are unable to provide any additional information regarding the program.

To the second point of your request, the referral forms for this position were attached in our response to your original request. Some information from these forms was redacted pursuant to exemptions (c) and (f), detailed below. General information regarding civil service referrals is also available on the SUCSS web site. Referrals are also called certifications. As noted at <https://www.sucss.state.il.us/etest/exam.asp>:

“...All State Universities Civil Service System employers use civil service examinations to help determine if applicants possess the basic knowledge, skills and ability to perform the functions of the position. ...

Examinations provide a system that is fair and objective for all applicants. For a particular examination, applicants answer similar questions or are asked to submit

Office for University Relations

Urbana • 506 South Wright Street, MC 370 • Urbana, IL 61801 • (217) 333-6400 • Fax (217) 333-5733  
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information. Applicants receive a score or scores based on the same examination components. This gives all candidates an equal opportunity to be placed on an employment register, the possibility for an interview and the potential to be selected.

After you have completed an examination, you will receive a score...

Finally upon examination, a "Register" is composed of one or more names of candidates who can potentially be referred for a job interview. Each employer (university/agency) uses a register for their specific employment location to certify (refer) candidates for position interviews. Scores are ranked on the register in numerical order. So a rank of "1" is better than "40". The employer shall certify the three names of the candidates standing (ranked) highest on the register(s) at the time a vacancy is declared. Please note all applicants receiving the same score will be given the same ranking. From these Employment registers you may be referred for an interview."

Your FOIA request of March 19, 2014, to which we responded on April 2, 2014, sought the information in the third and fourth points of your request, as well as part of the information in the second point of your request.

Information responsive to the third point of your request was withheld pursuant to the following section(s) of the Act. The names of other candidates on the referral forms provided was redacted pursuant to these same sections:

- 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 personal information such as date of birth, and all information pertaining to candidates not selected for a position. The Illinois Attorney General's Public Access Counselor has previously upheld a public body's decision to withhold information regarding unselected job applicants, as disclosure of such information would constitute a clearly unwarranted invasion of personal privacy under this section of the Act. (*See*, 2011 PAC 14437; 2011 PAC 13060). In addition, under this exemption, reference information for the selected candidate was redacted as such relationships pre-date the selection of the candidate. (*See*, 2010 PAC 9252). Moreover, the selected candidate's grade point average and transcript were redacted as such information is considered highly personal and does not bear on an employee's duties (*See*, 2010 PAC 6398).
- 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 or 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 opinions, evaluations and recommendations regarding a job candidate.

Information responsive to the fourth point of your request was omitted by oversight. This information is now attached.

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](mailto: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