

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

July 16, 2014

Nicholas Burbules

[REDACTED]
[REDACTED]
[REDACTED]

Re: FOIA 14-471

Dear Mr. Burbules:

I am responding to your request dated July 2, under the Illinois Freedom of Information Act in which you request:

“Any reports collected by AHR from faculty members complaining about cases of harassment, intimidation, or other inappropriate contact from union organizers, whether coming from our own campus or from national organizations (AAUP, IFT, AFT) over the period of 2011-present.

I am not requesting names or any personal identifying information, just the number of cases and circumstances reported in these complaints.”

For your information, there are no reports that are responsive to your request. However, the University does have communications with responsive information contacted therein.

These documents, which number 20 pages, are available and attached.

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.” This includes documents containing legal advice given by an attorney that are required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct.
- 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 personal cell phone numbers and personal email addresses.
- 140/7(1)(d)(iv) which exempts documents 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 information requested includes the names of people who have filed complaints.
- 140/7 (1)(f) that 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 or relevant portion of a record shall not be exempt when the

Office for University Relations

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record is publicly cited and identified by the head of the public body." This includes preliminary discussions, deliberative communications and expressions of opinion regarding possible policies and actions of the University.

- 140/7(1)(m) that exempts "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, and materials prepared or compiled with respect to internal audits of public bodies." This includes communications between a public body and an attorney representing the public body for the purpose of obtaining legal advice and would not be subject to discovery in litigation.
- 140/7(1)(p)) that exempts from production: "Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying."

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