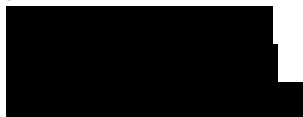


UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

August 26, 2014

Joe Schoffstall



Re: FOIA 14-544

Dear Mr. Schoffstall:

I am responding to your request dated August 12, under the Illinois Freedom of Information Act in which you request:

“all documents regarding the hiring or potential hiring of Steven Salaita including, but not limited to, the following categories, which your website indicates are available:

General Record Categories

http://www.foia.uillinois.edu/available_records/general_records/

12. Academic staff applicant files

These include job announcements, letters of application, vitae, candidates' publications and supporting documents, letters of recommendation, correspondence and notes, and affirmative action forms. Documentation for applicants who are hired is normally transferred to the Academic Personnel File.

13. Academic personnel files

These include employment applications, appointment and change-of-status forms, letters of recommendation, performance-evaluation reports, correspondence, and records of grievances, sabbaticals, and other leaves.”

Information responsive to your request is available and attached. These are public documents numbering 78 pages.

Portions of these documents have been redacted 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 Personnel Record Review Act (820 ILCS 40/.01 et seq.) governs the inspection, copying, and review of personnel documents by employees. Section 10(a) of the Personnel Record Review Act specifically governs exceptions to an employee’s right of access to such documents and states that an employee’s right of access does not extend to “[l]etters of reference for that employee or external peer review documents for academic employees of institutions of higher education.” Since these records are not available to the employee, by extension, they would not be available to a third party. As a result, such records are exempt from disclosure under the Illinois Freedom of Information Act, pursuant to Section 7(1)(a) and Section 7.5(q), discussed below.

Office for University Relations

Urbana • 108 Henry Administration Building • MC 370 • 506 South Wright Street • Urbana, IL 61801 • (217) 333-6400 • Fax (217) 333-5733
Chicago • 414 Administrative Office Building • MC 971 • 1737 West Polk Street • Chicago, IL 60612-7228 • (312) 996-3772 • Fax (312) 996-1836

- 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, home phone numbers, home addresses, personal email addresses, and other unique identifiers.
- 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 dates of birth, private citizen names, reference information, and other personal information.
- 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 documents containing opinions, evaluations and recommendations regarding a job candidate.
- 140/7(1)(j)(ii) exempts “information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers.” This includes opinions and recommendations regarding evaluation of a faculty member.
- Section 7.5(q) of the Act, which exempts from production “Information prohibited from being disclosed by the Personnel Records Review Act.” This includes letter of reference.

Our office is continuing to search for additional responsive documents. If any additional records are located, we will forward those to you.

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