

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

October 8, 2014

Brian Dolinar


Re: FOIA #14-634

Dear Mr. Dolinar:

I write to respond to your Freedom of Information request of September 24, 2014 and received in my office on that date, in which you requested:

- “1. Any and all emails sent or received by Chancellor Phyllis Wise that contain the keywords: (1) James Kilgore; (2) Kilgore from February 9, 2014 to September 24, 2014.
2. Any and all emails sent or received by Board of Trustees Chair Christopher Kennedy that contain the keywords: (1) James Kilgore; (2) Kilgore, from March 22, 2014 to September 24, 2014.”

Information responsive to your request is available and attached. These are public documents numbering 245 pages.

Portions of these documents have been redacted or 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, information discussed with an attorney that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct were 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 personal email addresses, home and private addresses, and home, mobile and private phone numbers.
- 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 the names and personally identifying information of private citizens expressing opinions, vacation information, family member information, outside employment or non-profit involvement information, and other personal information.

Office for University Relations

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- 140/7(1)(f) 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 contain that preliminary discussions and expressions of opinion regarding possible policies and actions of the University, as well as expressions of opinion made by private citizens to the University.
- 140/7(1)(m) 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.” A portion of your request includes communication 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.

Please note, on September 11, 2014, our office provided you with responsive emails to and from Chancellor Wise and Chairman Kennedy during the dates of February 9, 2014 to May 9, 2014. We are not attaching these documents again; however, if you need another copy, please let our office know.

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