

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

April 2, 2014

John Lappe
[REDACTED]

Re: FOIA 14-151

Dear Mr. Lappe:

I write to respond to your Freedom of Information request of March 19, 2014, and received in my office on that date, in which you requested:

- All hiring documents for Kevin W. Frerichs and James C. Frerichs including all communication from any source regarding their hiring. In addition, any biographical information stored in human resources records not otherwise protected under a FOIA exemption including but not limited to resume, educational history (such as degrees attained), license information.
- For the hiring of Kevin W. Frerichs, the job posting information, where it was published, when it was published and when the search was closed. Further, a listing of all other applications to the position.
- For the period of 1/1/2010 to present all phone records for Kevin and James Frerichs for landline and any university issued cell phone.
- For Kevin Frerichs' university email, any emails to or from Kevin to Senator Mike Frerichs, Kevin Wilson, Blaise Bernardi, Matt Elias, Zach Koutsky, Nancy Kohn, the Illinois State Board of Elections, Suzanna DeGuilio, Barbara Mason, ADP, inc, Act Blue, Boswell Hutson, Casey Williams and Anne Szkatulski for all available dates.
- All expense reimbursements for all available dates to either Kevin or James Frerichs."

Information responsive to your request is available and attached. These are public documents numbering 219 pages. For your information, there were no emails responsive to point 4 of your request. In addition, there were no phone records for James Frerichs responsive to point 3 of your request and there were no reimbursements to James Frerichs responsive to point 5 of your request.

Portions of these documents have been redacted pursuant to the following section(s) of the Act:

- 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 home addresses, phone numbers, private financial information 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 personal information such as date of birth, emergency contacts 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

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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.

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