

# UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

April 2, 2015

Candice A. Barnett  
CandyBarnett@markowitzherbold.com

Re: FOIA #15-200

Dear Ms. Barnett:


I write to respond to your Freedom of Information request of dated March 18, 2015, and received in my office on March 19, 2015, in which you requested:

“...the following documents:

- All correspondence with US Right to Know ("USRTK") relating to any public records request or requests from USRTK, including but not limited to copies of any such records requests and any responses to such records requests.
- All documents produced in response to any public records request from USRTK. This request is ongoing, and to the extent the University has not yet produced any or all documents in response to a public records request made by USRTK, I request that those documents be provided to me when they are produced to USRTK.”

Information responsive to your request is available. These are public documents numbering 257 pages.

Due to file size, the records referenced above are available for download at

. This link will expire in 10 days. Because reading files in the Box interface can be slow and unwieldy, we suggest that you click the Download button to save your responsive file to your desktop. If you do choose to view the file in the Box interface, the download button appears as a white arrow at the top right of the viewing window.

As noted in the responses to the included FOIA requests, portions of the documents released to USRTK have been redacted or other documents were withheld from the production pursuant to the following section(s) of the Act:

- 140/7(1)(a) of the of the Act, which 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 Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g) protects the privacy of student education records and prohibits the release of any information from a student’s education record without the consent of the eligible student. Therefore, identifiable student information was redacted from the responsive records.

- 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, email addresses and home addresses.
- 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 family information, information about candidates not chosen for employment with the University, and other personal correspondence not pertaining to public business.
- 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.” The responsive documents contain preliminary discussions, drafts, expressions of opinion, and other communications regarding the formulation of action or policies.
- 140/7(1)(g) that exempts “trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business . . .” This includes trade secrets or commercial information that has been determined to be proprietary, privileged, or confidential. Disclosure of this information would cause competitive harm to the person or business.
- 140/7(1)(i) that exempts “valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss.” This includes material that could produce private gain or create public loss if disclosed.
- 140/7(1)(j)(iv) exempts from disclosure “course materials or research materials used by faculty members.” This includes faculty research information.

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