April 13, 2015

“Zoyd Wheeler”

Re: FOIA Request 15-024

Dear “Mr. Wheeler”:

I am responding to your letter received in our office on January 13, under the Freedom of Information Act in which you request:

“all emails from Chancellor Wise to Dan Peterson and Dan Peterson to Chancellor Wise, for the period from July 16, 2014, to July 31, 2014.”

Information responsive to your request is available and attached. These are public documents numbering 168 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, documents containing legal advice given by an attorney that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct were redacted or 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 cell phone numbers and personal email 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 information containing the names and identifying information of private citizens, including, but not limited to, those who contacted University staff to express opinions as well as other personal acquaintance information that does not bear upon the duties of public employees.

- 140/7(1)(f) 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 record
is publicly cited and identified by the head of the public body.” The responsive
documents contain drafts, preliminary discussions, recommendations, expressions of
opinion, and communications regarding the formulation of an action or plan.

• 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.

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 any questions, please address them to the attention of Ms. Laura Clower,
Associate University Counsel, at clower@uillinois.edu.

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer

cc: Laura Clower, Assoc. Univ. Counsel