May 27, 2015

Declan Harty
Daily Illini
dharty2@illinimedia.com

Re: FOIA 15-385

Dear Mr. Harty:

I write to respond to your Freedom of Information request of May 12, in which you requested:

"all records of public communication (including emails and voice messages left to public phones) from Sunday, May 3, 2015, to Wednesday, May 13, 2015, involving at least two parties or more from the list of four subjects, emails and office phone numbers that follows:
Chancellor Phyllis Wise, email: pmwise@illinois.edu, office phone: (217) 333-6290
University of Illinois Athletic Director, Michael J. Thomas, email: FightingIlliniAD@illinois.edu, office phone: (217) 333-3631
Illinois head football coach, Timothy D. Beckman, email: CoachBeckman@illinois.edu, office phone: (217) 333-1400
Associate Athletic Director, Kent Brown, email: kwbrown3@illinois.edu, office phone: (217) 333-1391"

Information responsive to your request is available and attached. These are public documents numbering 81 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.” Certain information has been redacted as exempt from production under section 7(a) of the Freedom of Information Act. Specifically, 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 or parent of the student.

- 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 and 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 identifiable student information as well as donor names.

- 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 and expressions of opinion regarding possible policies and actions of the University.

- 140/7(1)(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

- 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 questions for our office, please contact 217-333-6400.

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer