June 8, 2015

Steve Berkowitz
USA Today
sberkowitz@usatoday.com

Re: FOIA 15-427

Dear Mr. Berkowitz:

I write to respond to your Freedom of Information request of May 22, in which you requested:

“1. The contracts covering the 2015-16 season for the head football coach and the nine full-time assistant football coaches, including but not limited to:
   § Amendments or addenda.
   § Documents, drafts or e-mail related to, or reflecting, intended compensation or known COLA raises not included in the contract.
   § Documents reflecting current or intended compensation or benefits to any of the coaches from a third party.
   *If the head coach (or any assistant) is not covered by a contract, please provide the applicable letter of understanding or other document that outlines his compensation and a copy of any document listing bonuses for which the coach is eligible, including criteria for the bonuses and the amounts that would be paid.
   *If the head coach (or any assistant) is employed on an at-will basis, please provide a list of each coach’s base salary and a copy of any document listing bonuses for which the coach is eligible, including criteria for the bonuses and the amounts that would be paid.

2. The most recent Athletically Related Income statement (as described in NCAA Bylaw 11.2.2) for the head football coach and the nine assistant football coaches described above. This is also known as the Outside Income Report filled out by all athletic department personnel.

3. An itemized list of incentive bonus amounts actually paid to the current head football coach from May 15, 2014 through May 14, 2015. The goal of this request is to obtain data about bonus payments made for sport-related goals achieved during the 2014-15 football season and/or for academic or other achievements during a full, 12-month period, even though that period may not conform with the school’s fiscal year or academic year or with the coach’s contract year.

4. The current contract and Athletically Related Income statement for the athletics director.”

Information responsive to your request is available and attached. These are public documents numbering 169 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.” 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. In this case, the name of a student 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 university identification 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 student 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, 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