June 9, 2015

David Mercer  
Associated Press  
DMercer@ap.org  

Re: FOIA 15-432  

Dear Mr. Mercer:

I write to respond to your Freedom of Information request of May 26, in which you requested:

“all emails sent to the university accounts of women’s basketball coach Matt Bollant and associate head coach Mike Divilbiss by Thomas Grusecki, Christina Grusecki, David Tuck, Lydia Tuck and Peter Gleason between Oct. 1, 2013 and May 25, 2015. I would also like to receive copies of any emails sent by either of the coaches to any of those parties for the same period.”

Information responsive to your request is available and attached. These are public documents numbering 53 pages.

Portions of these documents have been redacted or other documents have been 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. Therefore, student records or information that could lead to the identification are exempt from production.

- 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 private email addresses and phone 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 records, identifiable student information, and the names and personal information of private citizens.
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