

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

July 29, 2015

Julie Wurth
jwurth@news-gazette.com

Re: FOIA #15-435

Dear Ms. Wurth:

I write to respond to your Freedom of Information request of May 26, 2015, and received in my office on that date, in which you requested:

“...copies of all written and electronic communications to or from University of Illinois President Timothy Killeen, Chancellor Phyllis Wise and Athletic Director Mike Thomas. regarding allegations of problems with the women's basketball program, Coach Matt Bollant or Assistant Coach Mike Divilbiss, from April 1, 2014, to the present.”

In an email dated July 8, 2015, you agreed to an extended deadline for this request of July 29, 2015.

Information responsive to your request is available and attached. These are public documents numbering 203 pages.

Portions of these documents have been redacted and other pages have been removed 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, information that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct were redacted from the responsive documents. In addition, 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. Thus, identifiable student information was redacted 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 private email addresses and other unique identifiers.
- 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 about students, prospective students and family members.

- 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.” This includes draft documents and communications in which opinions or recommendations are expressed or policies and actions are formulated.
- 140/7(1)(m) that exempts from disclosure “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, . . .” Pursuant to this exemption, communications covered under the attorney client privilege and/or the work product doctrine that would not be subject to discovery were redacted or withheld from the responsive records.

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