

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

August 10, 2015

Jared Hopkins
Chicago Tribune
jahopkins@chicagotribune.com

Re: FOIA Request 15-636

Dear Mr. Hopkins:

I write to respond to your Freedom of Information request dated August 3, in which you requested:

- All emails, including any underlying attachments, related to the hiring, firing, resignation, departure of former football coach Tim Salem from the university. This also applies to if Mr. Salem was not reappointed or if his contract expired or was not renewed.
- A copy of all documents, including any underlying attachments, contained within the personnel file of Mr. Salem."

Information responsive to the second point of 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." This includes information that is required to remain confidential under state law, including, without limitation, the Illinois Rules of Professional Conduct.
- 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 home addresses, telephone numbers, as well as 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." A portion of the documents being requested contain personal information, such as dates of birth, and is therefore exempt from disclosure.
- 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.

Office for University Relations

Urbana • 108 Henry Administration Building • MC 370 • 506 South Wright Street • Urbana, IL 61801 • (217) 333-6400 • Fax (217) 333-5733
Chicago • 414 Administrative Office Building • MC 971 • 1737 West Polk Street • Chicago, IL 60612-7228 • (312) 996-3772

- 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.

Your request for documents and information listed in point one of your request is considered unduly burdensome to the University. Due to the broad wording of your request, compliance with the same would require a search to be conducted across the several departments simply to identify which employees would possess the responsive material. The short response time allowed by the FOIA makes the task of identifying, collecting and reviewing potentially responsive records in a timely manner unduly burdensome upon the University. As a result, the University has determined that compliance with your request is unduly burdensome and that the University’s burden to process these requests outweighs the public interest.

Pursuant to Section 3(g) of the Act, we would like to extend to you an opportunity to modify your request to make it of more manageable proportions. Specifically we request that you narrow the scope of your request to the records of a limited number of specific employees. This change will help narrow your request to more manageable proportions. I encourage you to call Kathy McCarthy from my office at the phone number below to further discuss ways to narrow your request. If you do not reduce the request, that portion of your request shall be treated as a denial.

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