

# UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

August 18, 2015

Johnathan Hettinger  
News-Gazette

Re: FOIA Request #15-666

Dear Mr. Hettinger:

I write to respond to your Freedom of Information request dated August 11, 2015, and received in my office on that date, in which you requested:

“...the minutes of the executive sessions of the board of trustees where the inquiry into personal emails being used for university business was discussed.”

The executive session minutes you have requested were from sessions closed to the public. The minutes of such sessions have not been approved to be made available to the public at this time. Thus, the information you are requesting is exempt from production and your request is denied pursuant to sections 140/7(1)(a), 140/7(1)(f), and 140/7(1)(l) of the Act, as detailed below.

- Section 140/7(1)(a) exempts from disclosure “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing adopted under federal or State law.” Section 2.06 of the Open Meetings Act (5 ILCS 120/2.06)(f) provides that “Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.”
- Section 140/7(1)(l) of the FOIA exempts from disclosure “ Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.”
- Section 140/7(1)(f) of the FOIA 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 minutes that have not yet been approved and are in draft form.

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.

Office for University Relations

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Chicago • 414 Administrative Office Building • MC 971 • 1737 West Polk Street • Chicago, IL 60612-7228 • (312) 996-3772

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

Sincerely,

Thomas P. Hardy  
Executive Director  
and Chief Records Officer