



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 12, 2010

Ms. Carla Erdey
Director of Communications and FOIA Officer
Consolidated High School District 230
15100 S. 9th Avenue
Orland Park, Illinois 60462

RE: Request for Pre-Authorization, 7(1)(c) – No. 6108

Dear Ms. Erdey:

We have received and reviewed written notice under 5 ILCS 140/9.5(b) from the Consolidated High School District 230 of its intent to redact the dates of births of the District's employees as part of a compilation of information concerning these employees requested by [REDACTED] in a FOIA request dated February 17, 2010, as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act. This section of the Act provides for the exemption of personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless consented to in writing by the subject of the information. 5 ILCS 140/7(1)(c).

As a result of this review, we have determined that it is appropriate for the District to decline to disclose the District's employees' dates of birth from the response to this FOIA request under subsection 7(1)(c). An individual's date of birth is information which is highly personal, the release of which may be objectionable to a reasonable person, and the subject's right to privacy with regard to this information outweighs any legitimate public interest in obtaining the information. Further, the redacted information does not bear on the public duties of public employees. Accordingly, the District's request to assert the "unwarranted invasion of personal privacy" exemption under 5 ILCS 140/7(1)(c) is hereby approved with regard to employee birthdates, and no further inquiry into this matter is warranted.

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It is my understanding that the remainder of [REDACTED] request, with the exception of home addresses exempt as Section 7(1)(b) private information, and the dates of birth as exempt under Section 7(1)(c), has been provided as requested.

This correspondence shall serve to close this file.

If you have any questions, please feel free to contact me at 217-557-0548.

Sincerely,

Cara Smith
Public Access Counselor

By: [REDACTED]

Heather V. Kimmons
Deputy Public Access Counselor

cc:

[REDACTED]
SouthTown Star
6901 159th Street
Tinley Park, IL 60477