



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 28, 2011

Mr. Brett Clark
Executive Director of Communications
Glenview School District 34
Greenwood Road
Glenview, Illinois 60026

RE: FOIA Pre-Authorization Request – 2011 PAC 14928

Dear Mr. Clark:

We have received the written notice from Glenview School District 34 (District) of its intention to deny disclosure of certain information pursuant to sections 7(1)(c) and 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c), (f) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.)

On June 9, 2011, Mr. Brendan Apple submitted a FOIA request to the District seeking copies of written responses from parents on a District conducted climate survey. On June 16, 2011, the District sought our approval to withhold the parent responses pursuant to section 7(1)(f) of FOIA, which exempts from inspection and copying "preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated[.]" The District sought our approval to withhold the survey comments pursuant to section 7(1)(c) of FOIA, which exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information."

DETERMINATIONS

The District's proposed use of section 7(1)(f) to withhold the survey responses is **approved**. Based on the District's representation, the parent comments were gathered to assist

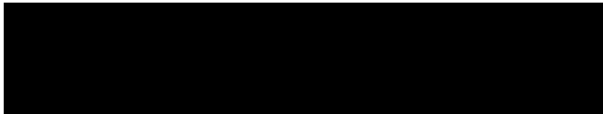
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the District in determining whether to adopt a particular course of action. This office has previously concluded that community responses to surveys, specifically, parent comments to school district-conducted surveys, are solicited to obtain input for formulating actions and policies and therefore properly fall within the provisions of section 7(1)(f). *See* 2010 PAC 6961 (Ill. Att'y Gen. PAC Pre-Auth al issued March 3, 2011) and 2010 PAC 14928 (Ill. Att'y Gen. PAC Pre-Auth al issued May 13, 2011).

Accordingly, the District has met its burden of demonstrating that the parent comments are exempt from disclosure pursuant to 7(1)(f). Because of the applicability of section 7(1)(f), this office declines to make additional findings with regard to section 7(1)(c).

If you have any questions, you may contact me at (312) 814-5383. This correspondence shall serve close this matter.

Very truly yours,



MATTHEW C. ROGINA
Assistant Attorney General
Public Access Bureau

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cc: Mr. Brendan Appel
1416 Kitty Hawk Lane
Glenview, Illinois 60026