



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 12, 2011

Ms. Barbara Mitchell
College of DuPage
425 Fawell Blvd.
Glen Ellyn, IL 60137

RE: FOIA Pre-Authorization Request - 2011 PAC 15586

Dear Ms. Mitchell:

The Public Access Bureau has received the written notice from the College of DuPage of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010)).

On June 27, 2011, [REDACTED] sought "Illinois Department of Human Rights Charge No: 2011-CF-3284." The College is seeking to withhold portions of three pages of the responsive record pursuant to section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c) (West 2010)). The College asserts that these pages contain medical information which should be exempt from disclosure under section 7(1)(c). On July 27, 2011, we asked the College to provide this office with copies of the records it sought to withhold.

Section 7(1)(c) of FOIA 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."

DETERMINATION

The College's use of section 7(1)(c) to withhold the redacted information is **approved in part**. We have reviewed the record and agree that releasing information regarding specific medical conditions would constitute an unwarranted invasion of personal privacy. We have determined that the subject's right to privacy regarding her medical conditions and

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treatments outweighs any legitimate public interest in obtaining this information. Thus, the College has met its initial burden to withhold information concerning the subject's specific medical conditions and treatments under section 7(1)(c).

However, the College's use of section 7(1)(c) to withhold statements in paragraphs 5, 6, and 12 is **partially denied**. A portion of the information the College seeks to redact in paragraphs 5 and 6 does not identify any specific illness or condition that affected the subject. The release of general information indicating that a person is feeling ill or being treated by a physician is not considered to be an "unwarranted invasion of personal privacy." Further, the portion of paragraph 12 redacted pursuant to section 7(1)(c) discusses an action taken by the College, and is not "personal information" regarding any individual. We are enclosing, for the College only, a copy of the charge indicating those proposed 7(1) (c) redactions in paragraphs 5, 6, and 12 for which we are denying preauthorization.

If you have any questions or would like to discuss this matter, please contact me at (312) 814-8413. This correspondence shall serve to close this file.

Very truly yours,



REBECCA RIDDICK
Assistant Attorney General
Public Access Bureau

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