



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 28, 2011

Ms. Robin Kaler
Associate Chancellor for Public Affairs
University of Illinois
507 E. Green St.
Champaign, IL 61820

RE: FOIA Pre-Authorization Request - 2011 PAC 14509

Dear Ms. Kaler:

We have received and reviewed the written notice from the University of Illinois of its intention to deny disclosure of certain information pursuant to section 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(f) (West 2010)). Specifically, on May 23, 2011, [REDACTED] submitted a FOIA request for all records related to the current agreement between the University and Follett Higher Education Group, Inc., which concern the operation of Follett's Bookstore, 627 South Wright Street, Champaign, IL. The University seeks to redact portions of emails related to that agreement.

Section 7(1)(f) of FOIA exempts from inspection and copying "[p]reliminary 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 section 7(1)(f) exemption applies to "inter- and intra-agency predecisional and deliberative material." *Harwood v. McDonough*, 344 Ill. App. 3d 242, 247 (1st Dist. 2003). The exemption is "intended to protect the communications process and encourage frank and open discussion among agency employees before a final decision is made." *Harwood*, 344 Ill. App. 3d at 248.

DETERMINATION

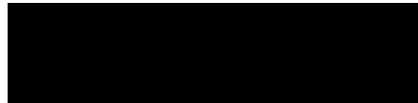
The University's assertion of the section 7(1)(f) exemption to redact portions of the emails is **approved**. We have reviewed un-redacted copies of the emails, which contain notes and recommendations that were used to formulate a decision related to the University's

Ms. Robin Kaler
July 28, 2011
Page 2

agreement with Follett Higher Education Group, Inc. Such records are pre-decisional in nature, and there is no indication that the records have been cited by the chancellor of the University. Accordingly, we conclude that the University has sustained its initial burden of demonstrating that the redacted portions of these emails are exempt from disclosure under section 7(1)(f).

If you have any questions, please contact me at (312) 814-6756. This correspondence shall serve to close this matter.

Very truly yours,



STEVE SILVERMAN
Assistant Attorney General
Public Access Bureau

14509 preauth al 7(1)(f) prelim draft sa

cc: *Via Electronic Mail*

