



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 19, 2010

Allison Strupeck
Community Unit School District 300
300 Cleveland Avenue
Carpentersville, IL 60110-1943

RE: Pre-Authorization Request – 2010 PAC 6751

Dear Ms. Strupeck:

We have received and reviewed the written notice from the Community Unit School District 300 (“District”) of its intent to deny disclosure of certain information as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA). The District is seeking to redact dates of birth from records related to certain employees that meet the Rule of 80 under the TRS Guidelines, those with twenty years or more of service.

Subsection 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 disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). The exemption defines “[u]nwarranted 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.” *Id.*

The District’s use of the exemption in 7(1)(c) with regard to dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). This type of information is highly personal by its very nature and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information.

As such, the District should issue a partial denial letter directly to [REDACTED] and release the records to [REDACTED] with the appropriate information redacted. If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Lola Dada-Olley
Assistant Public Access Counselor

cc: