



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

April 21, 2010

Mr. Thomas Hardy
Freedom of Information Officer
University of Illinois
Via electronic mail
hardyt@uillinois.edu

RE: FOIA Pre-approval Request – 2010 PAC 6805

Dear Mr. Hardy:

On April 14, 2010, we received from the University of Illinois a written request for approval of its intent to assert the Section 7(1)(c) exemption in response to two Freedom of Information Act (FOIA) requests received April 6th and 7th from [REDACTED] with WLS TV/ABC7 News Chicago. The requests sought the names and applications of applicants for the position of University President. The University has indicated its intent to withhold the requested records as constituting a clearly unwarranted invasion of personal privacy.

Section 7(1)(c) of the Freedom of Information Act permits a public body to withhold “[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” That provision further defines an “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.”

Applications for employment generally contain information that is personal in nature and the release of which would be objectionable to a reasonable person. Further, in many cases, the fact that an individual is seeking new employment and has applied for a position is information that a reasonable person would view as highly personal and the release of that information is likely to be viewed as objectionable by most such individuals. Publication of an individual’s application for a position can negatively impact that individual’s current employment and the release of personal information about applicants may also negatively impact a public body’s ability to attract qualified applicants for open positions. Accordingly, as a result of our review, we have determined that the University may properly decline to disclose under subsection 7(1)(c) the names of applicants for the position of University President and the applications submitted by


those individuals. The request to assert the exemption under Section 7(1)(c) is approved. Please note that this analysis is limited to the names and applications of individuals who have sought the position of University President and who have not been selected for that position.

If you have any questions, please feel free to contact me at (217) 785-7438. This letter shall serve to close this file.

Sincerely,

Cara Smith
Public Access Counselor

By:


Amanda M. Lundeen
Assistant Public Access Counselor

cc:

