OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 19, 2010

Robin Kaler
Associate Chancellor for Public Affairs and
Public Record Officer
University of Illinois at Urbana-Champaign
507 E. Green Street, Suite 313
Champaign, Illinois 61820

RE: Pre-Authorization Request – 2010 PAC 7464

Dear Ms. Kaler:

Thank you for providing the additional information we requested on June 4, 2010 in response to a written notice from the University of Illinois at Urbana-Champaign (University) of its intention to deny certain records as exempt from disclosure under Sections 7(1)(c) and 7(1)(f) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA).

Pursuant to Section 9.5(b) of the Act (5 ILCS 140/9.5(b)), we asked that the University provide copies of the responsive documents sought by [redacted] in a FOIA request submitted to the University on May 4, 2010 which contain information the University is seeking to withhold from disclosure.

Determination

This University's proposed use of the exemption found in Section 7(1)(f) to deny disclosure of portions of the responsive documents is approved in part. Section 7(1)(f) of FOIA exempts from disclosure records that constitute "[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 shall not be exempt when the record is publicly cited and identified by the head of the public body." 5 ILCS 140/7(1)(f).

We have reviewed the documents provided by the University and have determined that they contain recommendations and opinions in which policies and actions are formulated. Thus, this information is exempt from disclosure under Section 7(1)(f) of FOIA. However, regarding the document dated March 1, 2007, the University seeks to exempt from disclosure the subject heading of agenda item 1. While the specific information listed under this subject heading is

exempt under Section 7(1)(f) of FOIA, the subject heading itself does not contain information exempt under Section 7(1)(f) and should thus be disclosed.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Jessica O'Leary
Assistant Attorney General

cc: [redacted]