



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

Ms. Cassandra Daniels
FOIA Officer
Chicago Public Schools
125 S. 7th Street
Chicago, Illinois 60603

RE: FOIA Pre-Authorization Request – 2010.PAC 7576

Dear Ms. Daniels:

We have received and reviewed the written notice from Chicago Public Schools (CPS) of its intention to withhold certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et. seq.*, as amended.

Specifically, [REDACTED] submitted two FOIA request to CPS on April 20, 2010 and May 9, 2010 seeking the following information:

1. The names of all prospective student teachers and pre-service teachers during the 2008-09 school year enrolled at Chicago State University,
2. The name of the school in which they were placed,
3. The name of the recommending principal and
4. Whether the principal's recommendation was accepted or denied by CPS.

On May 20, 2010, CPS submitted a pre-authorization request to our Office, asserting that the names are exempt from disclosure under Section 7(1)(c) of FOIA which 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.*

Determinations

CPS’ request for approval of its decision to withhold information pursuant to Section 7(1)(c) is hereby denied.

Language in Section 7(1)(c) explicitly states that the disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of privacy. 5 ILCS 140/7(1)(c).

While student teachers may not be paid by the school district, they perform a public function and have a direct impact on the learning process. As such, student teachers do not have a reasonable expectation of privacy as to any information that relates to their public duties under Section 7(1)(c).

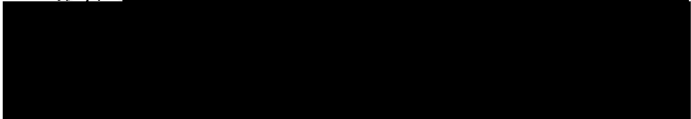
Based on this analysis, CPS has not met its burden under Section 7(1)(c) and should disclose the requested information.

If you have any questions concerns, please contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: 


Matthew C. Rogina
Assistant Public Access Counselor

cc: 