



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

Lisa Madigan
ATTORNEY GENERAL

August 5, 2010

Jenny Fontaine
Office of Public Affairs
University of Illinois at Chicago
601 S. Morgan Street #1301
Chicago, Illinois 60607

Re: Pre-Authorization Request 2010 PAC 7814

Dear Ms. Fountaine:

Thank you for providing the additional information we requested on June 15, 2010 in response to a written notice from the University of Illinois at Chicago (University) of its intention to deny certain records as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA).

Pursuant to 5 ILCS 140/9.5(b), we asked that the University provide unredacted copies of the scoring/evaluation sheets sought by [REDACTED] on May 11, 2010, which it intends to withhold from disclosure.

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).

Determination

The University’s proposed use of the “deliberative process” exemption found in Section 7(1)(f) of FOIA to deny disclosure of scoring/evaluation sheets relating to proposals received in response to its Request for Proposals for Business Continuity Planning Program Development is approved. We have reviewed these documents and have determined that they contain the opinions and recommendations of individual evaluators. These score sheets are a tool used to numerically evaluate proposals in an effort to formulate a final action. Therefore, the scoring/evaluation sheets are exempt from disclosure under Section 7(1)(f) of FOIA.


Accordingly, the University may issue a partial denial letter and withhold the scoring/evaluation sheets from disclosure.

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:

