



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

Lisa Madigan
ATTORNEY GENERAL

June 25, 2010

Ms. Sunny Clark
FOIA Officer
Illinois Department of Central Management Services
720 Stratton Office Building
401 S. Spring Street
Springfield, Illinois 62706

RE: FOIA Pre-Authorization Request – 2010 PAC 8052

Dear Ms. Clark:

We have received and reviewed the written notice from the Illinois Department of Central Management Services (CMS) of its intention to withhold certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA) 5 ILCS 140/1 *et. seq.*, as amended.

Specifically, on May 27, 2010 J.P. Fyans submitted a FOIA request to CMS seeking information regarding all state agencies and administrative offices under control of CMS. On June 17, 2010, CMS sent a partial denial letter to Mr. Fyans explaining that the proposed changes to the class specifications for the position of "Storekeeper I" "Storekeeper II and "Transportation Officer" is exempt from disclosure pursuant to Section 7(1)(f), which exempts from inspection and copying "preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies are formulated, except that a specific record or relevant portion of a 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). In the letter, CMS stated that an ongoing study as to possible changes to the class specifications of the three positions exempts from disclosure any documents related to those changes.

In its June 18, pre-authorization request to our Office, CMS supplied us with more than 100 pages of documents that contain drafts, notes and studies that CMS has prepared in relation to a possible class specification change to the three positions.

Determinations

CMS's request for approval of its decision to withhold information pursuant to Section 7(1)(f) is approved. The documents contain e-mails between CMS personnel regarding the proposed class

specification changes, handwritten notes contained in various documents such as position descriptions, positions by class, store clerks review and drafts of the proposed class specifications for the three positions.

The information in these documents represents the deliberative decision making process and express opinions by the CMS staff about the proposed class specification changes and a possible course of action.

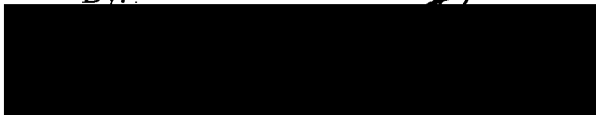
Based on this analysis, CMS has met its burden in demonstrating that the documents fall within the exemption of Section 7(1)(f). Accordingly, CMS may withhold the documents.

If you have any questions or 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: J.P. Fyans
General Teamsters
Professional and Technical Employees
Local Union No. 916
3361 Teamster Way
Springfield, Illinois 62707