



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

Lisa Madigan
ATTORNEY GENERAL

September 2, 2010

Lawrence Carlton
FOIA Officer
Henry-Senachwine Community Unit District 5
1023 College Ave.
Henry, Illinois 61537

RE: FOIA Pre-Authorization Request - 2010 PAC 9280

Dear Mr. Carlton:

We have reviewed Henry-Senachwine Community Unit District 5's pre-authorization request and associated documents to determine whether section 7(1)(c) of the Freedom of Information Act ("FOIA") (5 ILCS 140/7(1)(c)) was properly asserted to withhold information requested by John Ricklefs. Mr. Ricklefs requested the following:

1. "a copy of all service staff employee's [sic] W-2's for last year."
2. "a copy of Tom Urban's W-2."
3. "the total cost of purchasing and installing the sign in front of the high school and a copy of the purchase order."

Henry-Senachwine seeks pre-authorization to assert Section 7(1)(c) to withhold only the W-2 forms. It neither seeks pre-authorization to withhold "the sign in front of the high school and a copy of the purchase order," nor does it claim that such information is exempt from disclosure.

We conclude that the W-2 forms are exempt from disclosure under Section 7(1)(b) of FOIA. 5 ILCS 140/2(c-5). The W-2 forms constitute "private information" under Section 2(c-5) of FOIA because they constitute "personal financial information." 5 ILCS 140/2(c-5). Accordingly, the W-2 forms are not subject to public disclosure.

If you have any questions concerns, please contact me at (312) 814-5044. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Sunil Bhawe
Assistant Attorney General

cc:

