



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

**Lisa Madigan**  
ATTORNEY GENERAL

September 21, 2010

Ms. Christina Sayles  
FOIA Officer  
Southern Illinois University Carbondale Budget Office  
Via electronic mail to:  
[csayles@siu.edu](mailto:csayles@siu.edu)

RE: FOIA Pre-approval Request – 2010 PAC 9615

Dear Ms. Sayles:

We have received from the Southern Illinois University Carbondale Budget Office (SIUC) a written notice of its intention to assert the Section 7(1)(c) exemption in response to a Freedom of Information Act (FOIA) request, dated September 14, 2010 submitted by [REDACTED]. This request sought documents relating to all TEMS funds in the College of Education and Human Services for the last five fiscal years.

SIUC has indicated that it intends to withhold the name of an unsuccessful applicant for a faculty position that appears in one record responsive to this FOIA request, pursuant to Section 7(1)(c). Section 7(1)(c) of the Freedom of Information Act permits a public body to withhold "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." That provision further defines an "unwarranted 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." It also provides that "[t]he disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy."

We previously addressed this issue in File No. 2010 PAC 6805 and determined that:

Applications for employment generally contain information that is personal in nature and the release of which would be objectionable to a reasonable person. Further, in many cases, the fact that an individual is seeking new employment and has applied for a position is information that a reasonable person would view as highly personal and the release of that information is likely to be viewed as objectionable by most such individuals. Publication of an individual's application for a position can negatively impact that individual's current employment and the release of personal information

about applicants may also negatively impact a public body's ability to attract qualified applicants for open positions. Accordingly, as a result of our review, we have determined that the University may properly decline to disclose under subsection 7(1)(c) the names of applicants for the position of University President and the applications submitted by those individuals.

Likewise, we have determined that SIUC has met its burden to justify redacting the name of the non-hired applicant that appears in a record responsive to this FOIA request.

If you have any questions, please feel free to contact me at (217) 782-9078. This letter shall serve to close this file.

Sincerely,

Cara Smith  
Public Access Counselor

By: 

Matthew M. Sebek  
Assistant Public Access Counselor

cc: 