



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 25, 2011

Derek Schnapp
Public Relations Director and FOIA Officer
University of Illinois Springfield
One University Plaza, MS PAC 565
Springfield, IL 62703-5407

RE: Pre-Authorization Request – 2011 PAC 12687
Requester: Holly Dillemath, Illinois Times

Dear Mr. Schnapp:

We have received and reviewed the written notice from the University of Illinois Springfield of its intention to deny disclosure of certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(f).

On February 17, 2011, Ms. Holly Dillemath requested "a copy of the original complaint sent to UIS, all correspondence through letters or e-mails between UIS and the U.S. Office of Civil Rights, and all original documents pertaining to the complaint filed to UIS in regards to Title IX." In its written notice dated March 1, 2011, the University asserted that some of the responsive records are exempt under Section 7(1)(f). In a telephone call on March 10, 2011, we requested that the University forward to us copies of the documents that it claims are exempt for our confidential review, and we received those copies on March 17, 2011.

Section 7(1)(f) of FOIA exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions 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).

Determinations

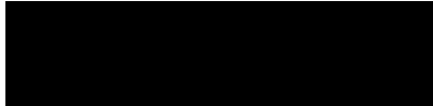
Based on our review of the documents, we have determined that the University's use of the exemption in Section 7(1)(f) to withhold these documents is approved. These documents consist of drafts that were subject to revision before being released and email messages in which opinions were expressed, and which the University used in formulating its actions. The

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University asserts that its President has not publicly cited or identified these documents. Therefore, the University has sustained its initial burden of demonstrating that these documents are exempt under Section 7(1)(f).

Should you have any questions or concerns, feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,



Sarah Kaplan
Assistant Public Access Counselor

cc: Holly Dillemath
Editorial Intern/Staff Writer
Illinois Times
by email: hdillemath@illinoistimes.com

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