



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

Robin Kaler  
Associate Chancellor for Public Affairs and FOIA Officer  
University of Illinois at Urbana-Champaign  
507 E. Green St., Suite 313  
Champaign, IL 61820

Re: Pre-authorization request – 2011 PAC 13311

Dear Ms. Kaler:

We have received from the University of Illinois at Urbana-Champaign a notice of intention to deny disclosure of certain information requested under the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested records regarding a specific student. The University requested pre-authorization to redact information regarding the student's medical condition and portions of her statements to police and University officials pursuant to Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Information in public records is exempt personal information if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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." *Id.*

The University's request to redact information regarding the student's medical condition under Section 7(1)(c) is approved. Information regarding the student's medical condition is highly personal. The student's right to privacy outweighs any legitimate public interest in obtaining this information. Accordingly, we conclude that the University has sustained its initial burden of demonstrating that information regarding the student's medical condition is exempt from disclosure under Section 7(1)(c).

The University's request to redact portions of the student's statements to police and other officials also is approved. We have reviewed un-redacted copies of the statements, which appear in a police report and other records related to an incident in which the student is identified

as the victim of a crime for which no individual was arrested or charged. Under these circumstances, disclosure of the information in question would constitute a highly unwarranted invasion of personal privacy. The student's right to privacy outweighs any legitimate public interest in obtaining the information. Accordingly, we conclude the University has sustained its initial burden of demonstrating that these portions of the student's statements are exempt from disclosure under Section 7(1)(c).

Although the University did not request pre-authorization to redact the names of the student and a witness to the incident, we note that those names also are exempt from disclosure under Section 7(1)(c). Information identifying an individual as a witness or a victim of an alleged crime is highly personal by its very nature. The subjects' right to privacy outweighs any legitimate public interest in disclosure of such information. Therefore, these names may also be redacted.

The University indicated that it intends to redact additional information from the records pursuant to other unspecified FOIA exemptions. Because advance approval by the Public Access Counselor is not required for the assertion of exemptions other than Section 7(1)(c) and Section 7(1)(f) (5 ILCS 140/7(1)(f)), we make no determination at this time regarding the applicability of any other exemptions.

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or [ssilverman@atg.state.il.us](mailto:ssilverman@atg.state.il.us).

Sincerely,



Steve Silverman  
Assistant Public Access Counselor

cc:

