



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

April 22, 2011

Jay R. Groves  
Assistant to the President  
Illinois State University  
Campus Box 1000  
Normal, IL 61790-1000

RE: Pre-Authorization Request – 2011 PAC 13513  
Requester: [REDACTED]

Dear Mr. Groves:

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

[REDACTED] requested a police report of a "door ding/accident" that took place on March 29, 2011. In its notice, the University asserts that the race, date of birth, and employment information of the owner of one of the vehicles is exempt under Section 7(1)(c).

**Determination**

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which 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). The exemption defines "[u]nwarranted 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." *Id.* Further, Section 7(1)(c) provides that the "disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy." *Id.*

The University's use of the exemption in Section 7(1)(c) to redact the individual's employment information is denied. This individual is an employee of the University, which means that this individual is a public employee. The information in this report states the employer, the

employer's address and the job title. This information clearly bears on this individual's public duties. Therefore, disclosure of this information is not an invasion of personal privacy.

The University's use of the exemption in Section 7(1)(c) to redact the individual's race and date of birth is approved. This information is highly personal, and the subject's right to privacy outweighs any legitimate public interest in disclosure. This information has no bearing on this individual's public duties. Therefore, the University has sustained its initial burden of demonstrating that this individual's race and date of birth are exempt under Section 7(1)(c).

The University may issue a partial denial letter directly to [REDACTED] and release the report with the appropriate information redacted in accordance with this letter. If you have any questions or concerns, feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,

[REDACTED]

Sarah Kaplan  
Assistant Public Access Counselor

cc:

[REDACTED]

*13513 pre-auth al dl 71c priv univ*