



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 20, 2011

Dawn R. Nailor, Secretary
Winnebago Park District
502 N. Elida St., Suite 6
Winnebago, IL 61088

Re: Request for Review – 2011 PAC 13616

Dear Ms. Nailor:

We have received from the Winnebago Park District 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 a copy of a letter which informed a specific job applicant that he did not obtain employment with the Park District. The Park District requested pre-authorization to redact the applicant's name and address pursuant to Section 7(1)(c) (5 ILCS 140/7(1)(c)) of FOIA.

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.*

Determination

The Park District's request to redact the applicant's name and address under Section 7(1)(c) is **approved**. We determined in 2010 PAC 6805 that disclosure of information that identifies unsuccessful job applicants would constitute an unwarranted invasion of personal privacy. We noted that an unsuccessful attempt to obtain employment often is highly personal information, the disclosure of which could negatively impact the applicant's current employment as well as a public body's ability to attract qualified applicants for future job openings. Accordingly, we conclude that the Park District has sustained its initial burden of demonstrating that the redacted information is exempt from disclosure under Section 7(1)(c).

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.

Sincerely,



Steve Silverman
Assistant Public Access Counselor

cc:

