



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 29, 2010

Jeannine B. Vaughn
FOIA Officer
Barrington Community Unit School District 220
Administrative Center
310 East James Street
Barrington, Illinois 60010- 6337

RE: Pre-Authorization Request — 2010 PAC 6336

Dear Ms. Vaughn:

We have received and reviewed the written notice from the Barrington Community Unit School District 220 (District) of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request dated March 2, 2010, seeking copies of the documents described in items 1-7 of his request letter. In its written notice, the District asserted that dates of birth and ages are exempt from disclosure under Section 7(1)(c) of FOIA.

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 disclosure is consented to in writing by the individual subjects of the information." 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.*

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The District's use of the exemption in Section 7(1)(c) with regard to dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

The District's use of the exemption in Section 7(1)(c) to withhold people's ages is denied. We have determined that the disclosure of this information would not constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). The District has not met its burden establishing a basis for redacting this type of information. As such, the District may issue a partial denial letter directly to the requester and release the records to him with the appropriate information redacted.

If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

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Amalia Rioja
Chief Deputy Public Access Counselor

cc:

