



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

May 6, 2011

Ms. Susan Johnson  
Secretary of Curriculum and Instruction  
Harvard Community Unity School District 50  
sjohnson@cusd50.org

RE: FOIA Pre-Authorization Request - 2011 PAC 13936

Dear Ms. Johnson:

We have received and reviewed the written notice from the Harvard Community Unit School District 50 of its intention to deny certain information as exempt from disclosure under section 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(f) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). Specifically, on April 20, 2011, Ms. Chelsea McDougall, staff reporter for the *Northwest Herald*, submitted a FOIA request to the District for records pertaining to former District business manager Donna Joyce. The District is seeking to withhold certain preliminary notes and drafts relating to a March 23, 2011 special meeting of the school board.

Section 7(1)(f) of FOIA exempts from inspection and copying "preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are 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) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010. The District supplied us with a copy of the documents that it seeks to withhold pursuant to section 7(1)(f) on May 5, 2011.

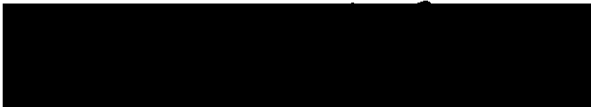
**DETERMINATION**

The District's use of the exemption in section 7(1)(f) to withhold draft documents and preliminary notes with regard to the March 23, 2011 special meeting is **approved**. We have reviewed the documents supplied to us by the District and conclude that the District has met its initial burden of demonstrating that the documents are preliminary notes and drafts within the scope of section 7(1)(f). There also exists no evidence that these documents were publicly cited by the head of the District.

Ms. Susan Johnson  
May 6, 2011  
Page 2

If you have any questions, please contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Very truly yours,



MATTHEW C. ROGINA  
Assistant Attorney General  
Public Access Bureau

cc: Ms. Chelsea McDougall  
*Northwest Herald*  
mcdougall@shawsuburban.com

*13936 pre-auth at 7(1)(f) prelim sd*