



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

March 1, 2011

Mr. Phil Burdick  
Chief Communications Officer  
Harper College  
1200 W. Algonquin Rd.  
Palatine, IL 60067

Re: Pre-Authorization Request – 2011 PAC 12512  
FOIA Requester: [REDACTED]

Dear Mr. Burdick:

We have received and reviewed the written notice from Harper College of its intention to deny disclosure of resumes of individuals not hired by the College for being exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On February 11, 2011, [REDACTED] submitted a FOIA request to the College for “access to and copies of: the qualifications of each candidate applying for the position of Chief Information Officer, between July 2010 and December 2010.”

In its written notice, the College seeks to withhold the resumes of applicants for Chief Information Officer under the exemption contained in Section 7(1)(c) of FOIA. No candidate has been chosen for the position. The College argues that “resumes provide details of the times and places of a candidate’s educational and prior work experiences, the identities of the candidates – even if redacted, along with their addresses – may be deduced from and therefore connected up with this personal information.”

**Determination**

Section 7(1)(c) 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”. The exemption defines “unwarranted 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. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.” 5 ILCS 140/7(1)(c).

The College’s use of the Section 7(1)(c) exemption with regard to the resumes of candidates not hired by the College is **approved**. It is the position of this office that candidates for public employment have a

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reasonable expectation of privacy that outweighs any public interest in this information. Releasing the resumes of applicants could allow their identities to be known. The disclosure of this information could adversely affect their current employment. Therefore, the College has met its initial burden to withhold these resumes under the exemption in Section 7(1)(c).

Should you have questions or concerns, please feel free to contact me at (312) 814-8413. This correspondence shall serve to close this matter.

Sincerely,

A large black rectangular redaction box covering the signature of the sender.

Rebecca Riddick  
Assistant Public Access Counselor

cc:

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