Dear Mr. Finko:

This letter is in response to your recent request for information under the Illinois Freedom of Information Act. Your request was received on Aug. 8, 2013.

You have requested the following records:

Request 1: Guides or other documents that were prepared by the Illinois State Board of Education (ISBE) incidental to the elections occurring in the years 2009, 2005, 2001, 1997, 1993, and 1989, that stated the eligibility qualifications for candidates seeking to be elected as a School District's Board of Education Member.

Response 1: Our agency has no documents responsive to your request.

Request 2: Memos, reports, letters, complaints, decisions, or other documents dated during the last ten years from ISBE's general counsel regarding the eligibility qualifications to run for and/or hold the elected office of School District Board of Education Member.

Response 2: The attached documents (13-038-finko-doc1.pdf and 13-038-finko-doc2.pdf) are provided in response to your request. Pursuant to 5 ILCS 140/7 (1) (c), a school board member’s name was withheld as disclosure would “constitute a clearly unwarranted invasion of personal privacy.” Personal e-mail addresses also have been redacted as private information pursuant to 5 ILCS 140/7 (1) (b). Additionally, certain documents that are responsive to this request were identified as exempt pursuant to 5 ILCS 140/7 (1) (m) as they are “communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation.” These communications have been withheld.

Request 3: Memos, reports, letters, complaints, decisions, or other documents dated during the last ten years from ISBE that reference or define the eligibility qualifications to be a candidate for and/or hold the elected office of School District Board of Education Member.
Response 3: Documents that are responsive to this request were identified as exempt pursuant to 5 ILCS 140/7 (1) (m) as they are "communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation." These communications have been withheld.

Request 4: Meeting minutes for meetings of the ISBE during the last ten years that reference or include the words "infamous crime" or "felony" as used in 10 ILCS 5/25-2(5) or 10 ILCS 5/29-15 or 105 ILCS 5/10-11(5).


Request 5: Meeting minutes for meetings of the ISBE during the last ten years that reference or address the eligibility qualifications to be a candidate for and/or hold the elected office of School District Board of Education Member.


Request 6: Memos, reports, letters, complaints, decisions, or other documents dated during the last ten years from ISBE's general counsel that reference or include one or more of the following citations, 105 ILCS 5/10-10 or 105 ILCS 5/10-11(5).

Response 6: Documents that are responsive to this request were identified as exempt pursuant to 5 ILCS 140/7 (1) (m) as they are "communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation." These communications have been withheld.

Request 7: Memos, reports, letters, complaints, or other documents dated during the last ten years, that reference or contain citations to the following statutes: 10 ILCS 5/25-2(5), 10 ILCS 5/29-15, 105 ILCS 5/10-10, and/or 105 ILCS 5/10-11(5).

Response 7: Documents that are responsive to this request were identified as exempt pursuant to 5 ILCS 140/7 (1) (m) as they are "communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation." These communications have been withheld.

If you feel you have been denied your access to public records, you may file an appeal with the Office of the Attorney General's Public Access Counselor at 500 S. Second St., Springfield, IL 62706 or publicaccess@atg.state.il.us. If you choose to submit a request for review, you must do so within 60 days after the date of this response letter. The request for review must be in writing, signed by you and include (i) a copy of your FOIA request and (ii) this office's response. In addition, you have the right to seek judicial review of this response.

If you have questions, please contact Amanda Simhauser at (217) 782-4648 or asimhaus@isbe.net.

Sincerely,
Matt Vanover
Director of Public Information

Attachments