

May 23, 2019

Allan Blustein
ablutstein@americarisingllc.com

RE: FREEDOM OF INFORMATION ACT REQUEST

VIA ELECTRONIC MAIL

Dear Mr. Blustein:

This is to acknowledge that Parkland College District No. 505 is in receipt of your *Freedom of Information Act* (FOIA) request received in my office at 10:46 a.m. on May 17, 2019 via electronic mail. As the Vice President for Communications and External Affairs, I am responsible for processing requests for public information for the College, pursuant to *the Illinois Freedom of Information Act*, 5 ILCS 140/1 et seq. In your e-mail, you requested that the College make available the following records:

Request:

“1. Job application and resume of adjunct professor John Biggan; 2. Salary history of Mr. Biggan; and 3. Performance evaluations of Mr. Biggan from 2016 through 2018.”

Parkland College’s Response:

The college has attached the following three documents responsive to your request:

- J. Biggan Salary History FOIA_Redacted
- J. Biggan Salary History FOIA 2_Redacted
- J. Biggan Application Materials FOIA_Redacted

Pursuant to ILCS 140/7/(1)(c), personal information contained within these documents, such as home addresses, phone numbers, personal email addresses birth dates, social security numbers, employee ID number, and driver’s license numbers, has been redacted. Disclosure of such information would be a clearly unwarranted invasion of personal privacy as detailed within the Illinois Freedom of Information Act.

The Act defines unwarranted invasion of personal information 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 college has also redacted Mr. Biggan’s student ID number on his transcript pursuant to the Family Educational Rights Privacy Act (FERPA), a Federal statute providing for confidentiality and disclosure of post-secondary education student records. Your request does not fall within the guidelines of FERPA requiring disclosure without student consent.

The college is denying your request for Mr. Biggan's performance evaluation on file because the Illinois Personnel Records Review Act (820 ILCS 40/11) prohibits the institution from doing so. The Act states, "disclosure of performance evaluations under the Freedom of Information Act shall be prohibited."

As the Vice President for Communications and External Affairs, I am responsible for granting and denying the requests for records under the *Freedom of Information Act*. Please be aware that this response to your request is pursuant to my understanding of your FOIA request. If I have misunderstood your request, please let me know as soon as possible so I may provide the correct information.

Finally, if you believe that this response constitutes a denial of your request, you have the right to have this response reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of this response by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the Public Access Counselor or State court, you will need to include a copy of this letter for the review.

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,



Stephanie L. Stuart
Vice President for Communications and External Affairs

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CC: FILE
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