



UNIVERSITY OF ILLINOIS SYSTEM

OFFICE OF EXTERNAL RELATIONS AND COMMUNICATIONS Freedom of Information Act 2024 Year-End Review

BACKGROUND

The Illinois Freedom of Information Act (FOIA) is a statute that provides the public access to the documents and records of public bodies, including the University of Illinois System (System). The statewide FOIA was enacted in 1984 and is modeled on the federal FOIA, which was enacted in 1965. Under this statute, the System is a public body that must respond to most requests within five (5) business days, though an extension providing an additional five (5) business days to respond may be taken. Within the five- or 10-business-day period, the System coordinates with the appropriate personnel and/or unit(s) to collect responsive records and review them for any applicable exemptions under FOIA. The FOIA Office provides responsive records, subject to any redaction(s) or withholding(s) pursuant to any applicable exemption(s) and provides a detailed basis for the exemption. Dozens of exemptions exist in the statute, and dozens more are identified in other statutes, that serve to appropriately withhold records based on such things as personal privacy, pending law enforcement investigations, trade secrets, and deliberative processes.

2024 OVERVIEW

As a set of very visible public institutions with System offices, there are a large number of issues that impact our enterprise and attract external and internal inquiry through FOIA. The number of requests annually continued its upward trend. The System received 2,036 requests in calendar year 2024. This year-end total represents an increase of more than 22.3% compared to 2023, during which 1,665 requests were received. These 2,036 requests resulted in the review of nearly 277,000 pages of records. This represents 371 more requests and nearly 115,000 additional pages to review than in 2023. Requests received in 2024 totaled more than 100 each month, including 10 months with more than 140 requests, and three months (April, September, and October) with over 200 requests. All but two months (February and November) experienced increases compared to 2023 numbers. In addition to the increased volume, FOIA requests continue to become more complex and time-consuming. The dramatic increase in requests for officer-worn body camera footage continues and contributes significantly to the volume, as does an increasing number of recurrent requesters. Multiple-part requests and requests seeking records from multiple universities also add to the complexity. These requests are really comprised of several requests in one and often require additional coordination among various personnel and/or units across System universities. By-the-numbers details are reflected in the tables below.

FOIA OFFICE

The FOIA Office is under the Office of External Relations and Communications (ERC) and processes FOIA requests made to all three universities and System Offices to provide System-wide consistency in complying with FOIA. Associate Director of FOIA Administration Andrew Marlan coordinates this centralized process, manages the distributed FOIA processing staff in conjunction with University of Illinois Chicago and University of Illinois Urbana-Champaign communications personnel, and serves as liaison to requesters and the Illinois Attorney General's Public Access Bureau. On complex and sensitive FOIA matters, FOIA staff consult with the Office of University Counsel and craft and finalize all response letters. Andrew Marlan and the FOIA team work with



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communications and administrative staff throughout the System to ensure proper and timely sharing of information. Vice President Adrienne Nazon is the signatory on response letters as Chief Records Officer for the System. The FOIA Office also provides training to units at any of the universities or System units on request. The office is considering producing and providing more on-demand training to broaden the reach and efficiency of training efforts.

All FOIA staff completed the yearly FOIA training required by the Office of the Illinois Attorney General and attended multiple webinars provided by the Public Access Counselor (PAC) for the latest updates in FOIA applications.

The FOIA team added a new role and a student worker to the team in 2024. The team also experienced personnel changes during this window of time and now has a new Associate Director of FOIA Administration and new coordinators at both UIC and UIUC. The FOIA team, titles, and assignments are listed below:

Name	Title	Responsibility
Andrew Marlan	Associate Director of FOIA Administration	Assignee, approvals, overflow, complex, high-profile, or delicate requests, and PAC appeals
Jamie Turpin	Senior Coordinator of FOIA	Multicampus, Urbana-Champaign, and System Offices requests
Tracy Allison	FOIA Officer and Communications Specialist	Urbana requests
Allison Izguerra	FOIA Officer and Communications Specialist	Chicago requests
Heather Toth	FOIA Coordinator	Urbana-Champaign requests, primary for DIA requests, System Offices and Multicampus requests
Waleed Khan	FOIA Coordinator (part-time)	Urbana-Champaign and Springfield requests



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BY THE NUMBERS

FOIA Requests Received in Calendar Year 2024

Month	Received	Closed*	Pages Reviewed
January	192	97	11,666
February	145	148	21,872
March	173	133	32,562
April	209	168	18,300
May	173	153	14,954
June	138	122	9,296
July	168	139	9,440
August	144	117	50,548
September	209	146	15,721
October	213	189	20,490
November	131	140	11,919
December	141	94	59,913
Total	2,036	1,646	276,681
Average	169.67	137.17	23,056.75

*The term “closed” means (1) our office issued a final response approving or denying the request; (2) our office issued a request to narrow letter, to which the requester did not respond; or (3) the request was withdrawn.

Campus of Interest Statistics

Campus	2023 Requests	2024 Requests	2024 Percentage of Requests
Urbana-Champaign	1,121	1,270	62.38%
Chicago	341	471	23.13%
Springfield	55	90	4.42%
System	98	127	6.24%
Multiple universities	47	78	3.83%

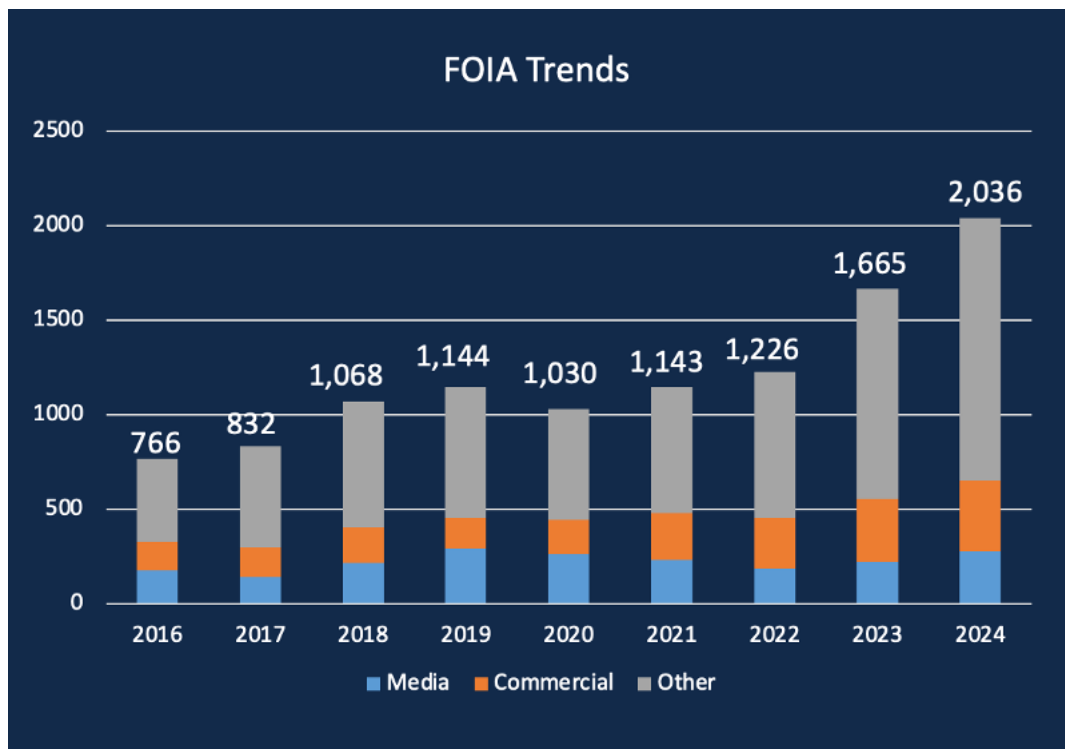


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2024 Requests by Campus

	Total	Urbana	Chicago	Springfield	System	Multi
Number of Media	277	194	56	2	14	11
Number of Commercial	371	206	75	22	53	15
Number of Private/Other	1,388	870	340	66	60	52
Total	2,036	1,270	471	90	127	78
Percent of Media requests by campus		70.04%	20.22%	0.72%	5.05%	3.97%
Percent of Commercial requests by campus		55.53%	20.22%	5.93%	14.28%	4.04%
Percent of Private/Other requests by campus		62.68%	24.49%	4.76%	4.32%	3.75%

Overall percent of Media requests	13.61%
Overall percent of Commercial requests	18.22%
Overall percent of Private/Other requests	68.17%





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- **SAMPLE OF TYPES OF DOCUMENTS AND INFORMATION SOUGHT:**

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|----------------------------|---------------------------------|
| ○ Vendor agreements | ○ Admissions data |
| ○ Purchasing orders | ○ Disciplinary records |
| ○ NCAA expense reports | ○ Water well records |
| ○ Grade distributions | ○ Salary information |
| ○ Police reports and video | ○ Student directory information |
| ○ Bid information | ○ Title IX information |
| ○ Athletic contracts | ○ Uncashed checks |
| ○ Emails | ○ Investment information |

- **SAMPLE OF ONGOING THEMES ASSOCIATED WITH REQUESTS:**

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|--|--|
| ○ NCAA financial reports | ○ Title IX investigations |
| ○ Athletics coach and game contracts | ○ Email communications about trending topics |
| ○ Names, Image, and Likeness (NIL) of student athletes | |

- **SAMPLE OF NEW THEMES ASSOCIATED WITH 2024 REQUESTS:**

- Police videos for any individuals charged with resisting arrest
- Police records for the April 2024 protest and encampment at UIUC
- Proposals and progress reports for diversity, equity, and inclusion-related grants
- Portfolio information for investments that may be tied to Middle Eastern countries
- Analytical Forensic Testing Laboratory (AFTL) lab reports and email communications

- **2024 SAMPLE OF EXEMPTIONS APPLIED:**

- Section 7(1)(a) – Information prohibited by disclosure from a federal or State statute, such as the Federal Education Rights and Privacy Act (FERPA), the Personnel Records Review Act (PRRA), and the Law Enforcement Officer-Worn Body Camera Act (BWC Act).
- Section 7(1)(b) – Private information. This includes individually identifiable information that could lead to identity theft, such as home addresses, personal telephone numbers, and social security numbers.
- Section 7(1)(c) – Personal information. This includes highly personal information such as dates of birth, third-party names, and race.
- Section 7(1)(d)(iv) – Witness information. This includes people who provide information to the University of Illinois Department of Public Safety.
- Section 7(1)(f) – Deliberative communication. This includes drafts and pre-decisional communications containing deliberative opinions, notes, and recommendations.
- Section 7(1)(g) – Trade secrets. This includes confidential or proprietary information given to the University, usually as part of a bid proposal.
- Section 7(1)(j)(ii) – Student misconduct cases.
- Section 7(1)(m) – Attorney/client information. This includes legal advice by the Office of the University Counsel to University staff.
- Section 7(1)(n) – Disciplinary reports. This includes reports regarding employee misconduct determined unfounded or when discipline was not imposed.



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- **TYPES OF REQUESTERS:**

- News media
- Current and former students
- Current and former employees
- Current and prospective vendors
- Data research companies
- Law firms
- Other universities
- Not-for-profits
- Anonymous requesters



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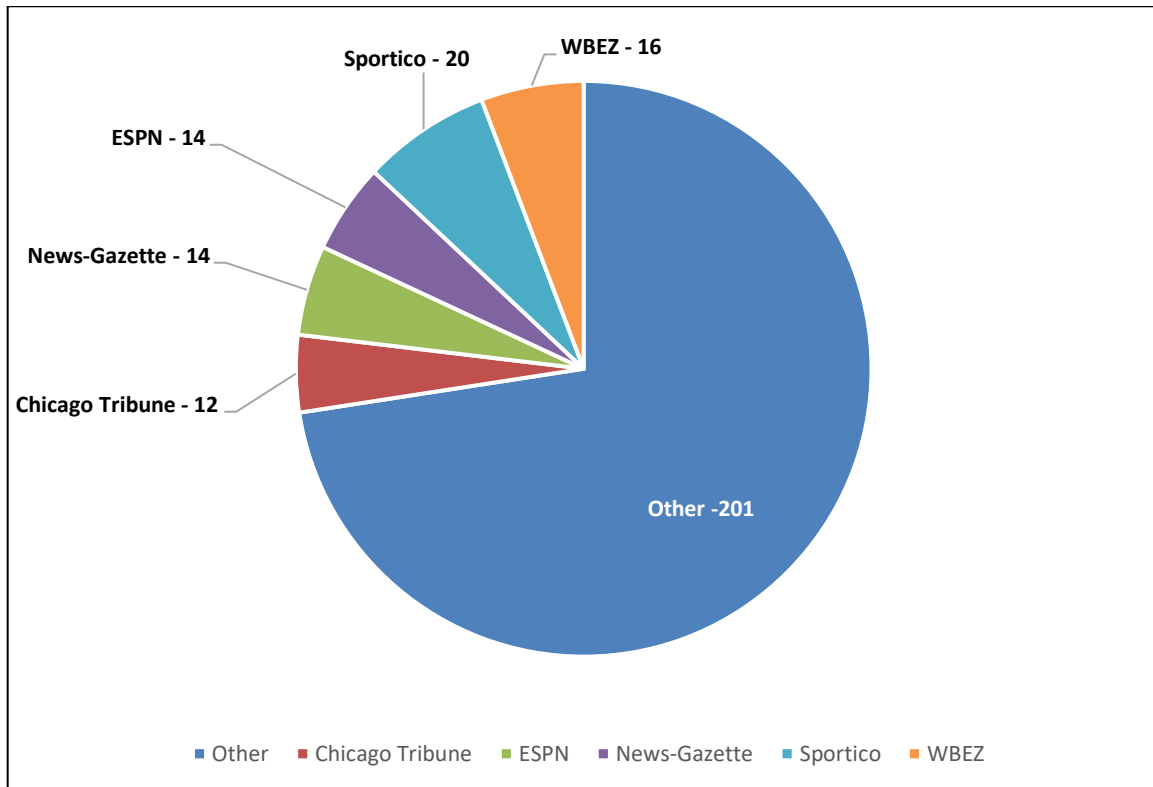
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2024 MEDIA REQUESTERS:

- 247Sports
- ABC 7 Chicago
- American Public Media
- APM Reports
- Better Government Association
- Bloomberg News
- Bracketeer.org
- Business Insider
- Capitol News Illinois
- CBS Chicago
- Check CU
- Chicago Crime Reports
- Chicago Sun-Times
- Chicago Tribune
- CNN
- CollegeAD
- Columbus Business First
- Crain's Chicago Business
- CT Inside Investigator
- CU-CitizenAccess
- D1.ticker
- Daily Illini
- DYK Media
- Edgar County Watchdogs
- ESPN
- Extra Points
- Forbes
- FOX 32 Chicago
- Freelance/unknown
- Front Office Sports
- iCRIME
- Ideastream Public Media
- Illini Inquirer
- Illini Media
- Illinois Answers Project
- Illinois Public Media
- Illinois Radio Network
- Infivision Media
- Injustice Watch
- Investigate Midwest
- Investigative Project on Race and Equity
- Invisible Institute
- Jewish Currents
- John Andrews News Media
- Law and Crime Network
- Midwest Safety News
- MuckRock News
- NBC News
- New York Times
- News-Gazette
- Newschannel 20
- NJ Advance Media
- Northern Star Media
- On3.com
- Patch News
- PNPWR Media
- Politico
- Post-Dispatch
- ProPublica
- Race & Equity Project
- South Side Weekly
- Sportico
- Springfield News-Leader
- State Journal-Register
- The Capitol Forum
- The Center Square
- The Chronicle of Higher Education
- The College Fix
- The Daily Line
- The Free Press
- The Hechinger Report
- The Oregonian
- The State News
- The UIUC Talkshow
- Truthout
- USA Today
- Wall Street Journal
- Washington Post
- WBEZ
- WCIA
- WICS
- WIRED
- Wisconsin State Journal



Requests by Media Outlet



83 total outlets.
Other includes outlets filing fewer than 10 requests.



2024 PUBLIC ACCESS COUNSELOR ENGAGEMENTS

- Any requester may submit a Request for Review of the System's response with the Office of the Attorney General's Public Access Counselor (PAC) or file a lawsuit to secure information that was denied. A Request for Review is not an indicator of any impropriety or improper handling of a request or responsive documents but simply asks the PAC to review the public body's response to ensure good-faith application of FOIA. When these appeals occur, the University is allowed to provide a supporting argument and/or evidence for its response and defend its handling of a request.

Of the 2,036 requests submitted to the University in 2024, University responses were appealed to the PAC 48 times. This represents approximately two percent (2%) of U of I System responses in 2024, similar to the percentage received in 2023. Notably, in 2024, 20 of the 48 Requests for Review were filed by the same requester.

Of those 48 appeals:

- Sixteen (16) are still pending.
- Seven (7) received a determination of No Further Inquiry Warranted.
- Four (4) received a determination of Unfounded (meaning the requester's complaint was unfounded based on the original request and response documents).
- Nine (9) received a determination of No Violation.
- Eight (8) were withdrawn, resolved, or otherwise determined to be moot.
- There were four (4) determinations during 2024:
 - One (1) received a determination directing the University to disclose the requested records between the University and the City of Chicago with certain redactions removed after the requester challenged the University's cited exemptions. Historically, the University did not provide personal information unrelated to the official duties of public employees, deliberative communications regarding questions and answers, or hyperlinks for internal meetings. The University's response followed that practice, but upon challenge and argument, staff was informed that the PAC did not support these positions. The PAC determined that revealing personal information in newsletters does not represent an unwarranted invasion of privacy for the individuals concerned. They also indicated that factual statements intertwined within deliberative communications are not exempt from disclosure. Additionally, the PAC noted that the University did not meet the burden of demonstrating how releasing hyperlinks for virtual meetings would compromise University security. The University released the requested information following the PAC's determination.



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- One (1) received a determination directing the University to disclose the requested records with certain redactions removed after the requester challenged the University's cited exemptions. Historically, the University did not provide pre-decisional communications where opinions and recommendations are expressed in furtherance of a final action. The University's response followed this practice, but upon challenge and argument, it was informed that the PAC did not support this position in the context of the request. The PAC advised that the deliberative exemption under FOIA is limited to inter- and intra-agency deliberations. The PAC concluded that the emails were not considered inter- or intra-agency communications, but rather correspondence between a University employee and a third-party individual who, at the time of the correspondence, was not yet affiliated with the University. The University released the requested information following the PAC's determination.
- One (1) received a determination directing the University to disclose the requested records with certain redactions removed after the requester challenged the University's cited exemptions. Historically, the University did not provide pre-decisional communications where opinions and recommendations are expressed in furtherance of a final action. The University's response followed this practice, but upon challenge and argument, staff were informed that the PAC did not support this position in the context of the request. The PAC advised that the deliberative exemption under FOIA is limited to inter- and intra-agency deliberations. The PAC concluded that emails between the University and third-party collectives Illinois Guardians and ICON are not considered inter- or intra-agency deliberations because there was no evidence of a contract, agreement, or designated consultant capacity to the University. The University released the requested information following the PAC's determination.
- One (1) received a determination directing the University to disclose certain requested records involving the Ethics Office. The PAC determined that the State Officials and Employees Ethics Act only exempts records generated by the Ethics Officer, not those received by the Ethics Officer. The PAC supported the University's decision to withhold records created by the Ethics Officer but requested the production of specific records not generated by the Ethics Officer. The University released the requested information following the PAC's determination.