

November 21, 2024

Via Electronic Mail

Dan Janowick
<danjanowick@gmail.com>

**RE: RESPONSE TO FOIA REQUEST
WINFIELD SCHOOL DISTRICT NO. 34**

Dear Mr. Janowick:

This letter constitutes the response of Winfield School District No. 34 (the “District”) to your request for information pursuant to the Illinois *Freedom of Information Act* (“FOIA”), 5 ILCS 140/1 *et seq.*, received on November 7, 2024. As legal counsel for the District, we have been authorized by the District’s FOIA Officer to provide this response on the District’s behalf.

Your requests are restated below:

“I am requesting electronic copies of communications during the time period of January 1, 2020 to December 31, 2021, to or from any school district 34 representative, including paid staff and elected school board officials, to any representative, paid staff, elected officials, or members of the public, regarding or related to the subject of:

1. Joint Review Board
2. TIF2

The communications should include any and all emails, text messages, social media messages and/or any written communication.”

Your request is granted in part and denied in part. See the enclosed records with the following information redacted or withheld pursuant to FOIA exemptions:

1. Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law, including medical information and student records information pursuant to Sections 7(1)(a) and 7.5(r) of FOIA, the *Americans With Disabilities Act*, the *Illinois School Student Records Act*, and the *Family Educational Rights and Privacy Act*. 5 ILCS 140/7(1)(a), 7.5(r); 29 CFR 1630.14; 105 ILCS 10/1 *et seq.*; and 20 U.S.C. § 1232g;

2. Private information, including personal email addresses, telephone numbers, and home addresses pursuant to Sections 7(1)(b), 7(1)(c), and 2(c-5) of FOIA. 5 ILCS 140/7(1)(b), (c), and 2(c-5);
3. Information relating to reports of communicable diseases and the identity of those making reports of communicable diseases as required by the Illinois *Communicable Disease Report Act*, 745 ILCS 45/1, and pursuant to FOIA Section 7(1)(a). 5 ILCS 140/7(1)(a);
4. Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed by a staff member or official or consultant that are part of the District's deliberative process. 5 ILCS 140/7(1)(f); *Harwood v. McDonough*, 344 Ill. App. 3d 242, 247 (1st Dist. 2003); and
5. Communications between the District and its attorney and other materials that would not be subject to discovery in litigation. 5 ILCS 140/7 (1)(m).

You have a right to have the partial denial of your request reviewed by a Public Access Counselor (PAC) at the Office of the 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
Email: public.access@ilag.gov

If you choose to file a Request for Review with the PAC, you must do so within 60 days of the date of this letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the PAC. You also have the right to seek judicial review of any denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

As legal counsel for the District, I am responsible for the District's response to your FOIA request, in consultation with the District's Superintendent/FOIA Officer. If I have misunderstood your request in any way, please clarify your request in writing to me.

Sincerely,



Steven M. Richart

Encl.

cc: Dr. Matt Rich, Superintendent