



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

October 21, 2024

Via electronic mail

[REDACTED]

RE: FOIA Request for Review – 2024 PAC 82674

Dear [REDACTED]

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA).¹ For the reasons stated below, the Public Access Bureau has determined that no further action is warranted as to this matter.

On August 12, 2024, you submitted a FOIA request to Kankakee School District 111 (District) seeking:

- All communication between ICJIA and all KSD111 staff and board members
- communication about the budget managers around the R3 grant from ICJIA
- All communication that includes: R3, Community partnerships, ICJIA, YEP (Youth Empowerment Program)
- communication between the current and previous superintendent and any staff member or board member concerning YEP.
- Communication with the mayor and the states attorney concerning the R3 grant and YEP
- The amount spent on youth employment during the past ten years

¹5 ILCS 140/9.5(c) (West 2023 Supp.).

- All communication concerning the community center and YEP
- All reimbursement requests for the R3 grant and the total amounts requested.
- Minutes from the previous finance Meeting
- Communication around summer employment, youth workers and/or student job fairs prior to COVID.^[2]

In a follow-up e-mail later that evening, you also requested: "W4 of all student workers with identifying information redacted for calendar year 23, 22 and 19, 18 and 17."³ On August 19, 2024, the District informed you that it found your request to be unduly burdensome under section 3(g) of FOIA⁴ and offered you the opportunity to narrow your request. It appears that you did not do so, and instead submitted this Request for Review.

Section 3(g) of FOIA provides, in pertinent part:

Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information. Before invoking this exemption, the public body shall extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions. If any public body responds to a categorical request by stating that compliance would unduly burden its operation and the conditions described above are met, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the public body. Such a response shall be treated as a denial of the request for information.

This office has previously determined that a request for all communications sent or received by a public official or employee over a period of several weeks or months, which would require a public body to gather and review a large quantity of potentially responsive records, is unduly burdensome under section 3(g) of FOIA in the absence of an identified public interest in disclosure of all of the records that outweighs the burden of compliance with the request. *See*,

²E-mail from [REDACTED] to [Kankakee School District 111] (August 12, 2024, at 8:25 PM).

³E-mail from [REDACTED] to [Kankakee School District 111] (August 12, 2024, at 9:13 PM).

⁴5 ILCS 140/3(g) (West 2022).

for example, Ill. Att'y Gen. PAC Req. Rev. Ltr. 48444, issued August 10, 2017, at 5 (a request for more than a month of an employee's e-mails, which would require review of 1,126 e-mails, was unduly burdensome, as the request was not limited by subject matter or keywords and thus the public interest in disclosure of every record did not outweigh the public body's burden); *see also National Ass'n of Criminal Defense Lawyers v. Chicago Police Department*, 399 Ill. App. 3d 1, 17 (2010) ("A request that is overly broad and requires the public body to locate, review, redact and arrange for inspection a vast quantity of material that is largely unnecessary to the [requester's] purpose constitutes an undue burden.").

Your request is categorical and vast in scope. The District asserted that there are over 680,000 e-mails potentially responsive to seven portions of your request, not counting the records responsive to the other four portions of your request.⁵ To collect and review such a large volume of responsive material would impose a significant burden on the District's operations. Although there is a general public interest in information concerning the District, you have not specified a particular public interest that necessitates the release of all of the requested records. Further, the District met the procedural requirements of section 3(g) by issuing a timely response and offering you the opportunity to confer about narrowing your request to manageable proportions. Under these circumstances, the burden of compliance with your request outweighs the public interest in the records you are seeking. Accordingly, this office concludes that the District did not improperly deny your request as unduly burdensome, and that no further action is warranted as to this matter.

This file is closed. If you have any questions, please contact me at victoria.frazier@ilag.gov. Thank you.

Very truly yours,


VICTORIA FRAZIER
Assistant Attorney General
Public Access Bureau

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⁵Letter from Rachel Thornton, Freedom of Information Officer, Kankakee School District 111 to  (August 19, 2024)

cc: *Via electronic mail*
Ms. Rachel Thornton
FOIA Officer
Kankakee School District 111
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