



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 2, 2026

Via electronic mail



RE: FOIA Request for Review – 2025 PAC 91277

Dear [REDACTED]:

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2024), as amended by Public Act 104-438, effective January 1, 2026). For the reasons set forth below, the Public Access Bureau concludes that this Request for Review is unfounded.

On November 24, 2025, you submitted a FOIA request to Township High School District 113 (District) seeking "'all current insurance policies' and related materials."¹ On December 9, 2025, the District produced 755 pages of responsive records, which it asserted was a complete response to that request. On that same date, you submitted a second FOIA request to the District seeking several categories of insurance records for the current policy year as well as the last two policy years. On December 15, 2025, the District responded that your request was an unduly burdensome repeated request under section 3(g) of FOIA (5 ILCS 140/3(g) (West 2024)). On that same date, you replied to the District that your "December 9 request was intended to clarify, itemize, and specify discrete categories of insurance and risk-management records that were not clearly identified or produced in response to the November 24 request."²

¹E-mail from [REDACTED] to [Kathryn] Anderson, [Freedom of Information Act Officer, Township High School District 113] (December 15, 2025).

²E-mail from [REDACTED] to [Kathryn] Anderson, [Freedom of Information Act Officer, Township High School District 113] (December 15, 2025).

On January 11, 2026, this office received your complete Request for Review contesting the District's denial. You argued that your December 9, 2025, request was not a repeated request because "[i]t clarified and specified discrete categories of insurance and coverage documents that were not clearly produced or identified in response to" your earlier request.³ You further argued that the Attorney General had previously concluded in a binding opinion that "conclusory assertions that records were previously produced, without sufficient identification, do not satisfy a public body's burden under FOIA."⁴

Section 3(g) of FOIA provides, in pertinent part that "[r]epeated requests from the same person for the same records that are unchanged or **identical to records previously provided** or properly denied under this Act shall be deemed unduly burdensome under this provision." (Emphasis added.) Under the plain language of section 3(g), a request is an unduly burdensome repeated request if a public body has previously provided you with the responsive records. Contrary to the assertion in your Request for Review, this office has not concluded that a public body needs to provide "sufficient identification" of previously provided records in a response asserting that a request is a repeated request under section 3(g) of FOIA. The opinion cited in your Request for Review concerned the responsiveness of public records maintained on personal accounts or devices and did not discuss section 3(g).⁵

When assessing whether a request constitutes an unduly burdensome repeated request under section 3(g) of FOIA, the relevant question is not whether a subsequent request is narrower, broader, or worded differently, but whether it seeks "the same records that are unchanged or identical to records previously provided or properly denied[.]" See Ill. Att'y Gen. PAC Req. Rev. Ltr. 74017, issued June 26, 2023, at 8-11 (Although the requester used different wording in a subsequent request, the request was an unduly burdensome repeated request because it sought the same records that a public body provided in response to a previous request); see also Ill. Att'y. Gen. PAC Req. Rev. Ltr. 79006, issued April 24, 2024, at 2 (Because "[t]he repeated request provision in section 3(g) is intended to alleviate the burden of responding to redundant or duplicative requests for records that a public body already has provided to the same person[.]" this office determined that "[i]t would be absurd to construe section 3(g) of FOIA as requiring a public body to disclose all records that it previously furnished in response to a previous request because of a slight modification to the time frame or content in a subsequent request.").

On January 30, 2025, a District FOIA Officer confirmed in a telephone conversation with a Supervising Attorney in the Public Access Bureau that the records provided

³E-mail from [REDACTED] to [Public Access Bureau, Office of the Illinois Attorney General] (December 17, 2025).

⁴E-mail from [REDACTED] to [Public Access Bureau, Office of the Illinois Attorney General] (December 17, 2025), *citing* Ill. Att'y Gen. Pub. Acc. Op. No 11-006, issued November 15, 2011.

⁵See Ill. Att'y Gen. Pub. Acc. Op. No 11-006, issued November 15, 2011, at 7.


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in response to your first request included all records maintained by the District that were responsive to your second request. She explained that she had confirmed with the District's insurance company that the records were unchanged from the prior two policy years. In other words, your December 9, 2025, request sought discrete subsets of records already provided in response to your November 24, 2025, request for "all current insurance policies."

Rather than requesting additional records that the District had not already provided, your December 9, 2025, request asked the District to identify or itemize parts of the 755 pages of the provided insurance policy records. The District was not required to analyze the records it previously provided to clarify which ones were responsive to each portion of your subsequent request. *See* 5 ILCS 140/3.3 (West 2024) (FOIA "is not intended to compel public bodies to interpret or advise requesters as to the meaning or significance of the public records.").

Nor was the District required to provide additional copies of the same records which it had already provided in response to your previous request. Your Request for Review did not describe any specific records that you believed to be maintained by the District that were not included in the 755 pages. Furthermore, the District has confirmed that it consulted with its insurance provider to confirm that it does not possess any records responsive to your December 9, 2025, request that were not already included in its previous response. Because the available information indicates that the District's first response encompassed all of the records in the District's possession that were also responsive to your subsequent December 9, 2025, request, and because the District was not required to interpret or advise you as to the significance of the records provided, the District did not improperly deny your December 9, 2025, FOIA request under section 3(g) as an unduly burdensome repeated request. Accordingly, this office has determined that your Request for Review is unfounded.

Additionally, this office notes that false legal references are a common problem with the use of chat-GPT and similar artificial intelligence (AI) tools. This office encourages people to exercise caution when using such tools to submit a FOIA request or Request for Review as such tools do not always correctly cite or interpret FOIA's requirements and the prior conclusions of this office.

This file is closed. If you have any questions, please contact me at (773) 590-7878 or benjamin.silver@ilag.gov.

Very truly yours,


BENJAMIN J. SILVER
Supervising Attorney
Public Access Bureau

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cc: *Via electronic mail*
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