

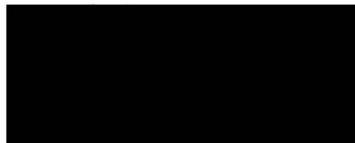


OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

March 7, 2025

*Via electronic mail*



RE: FOIA Request for Review – 2025 PAC 85548

Dear [REDACTED]:

This determination is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2023 Supp.)). For the reasons explained below, the Public Access Bureau has determined that no further action is warranted in this matter.

On February 14, 2025, you submitted a FOIA request to the North Clay Community Unit School District No. 25 (District) seeking copies of various District Board closed session meeting minutes from January 2015 through January 2023. On February 21, 2025, the District denied your request, asserting that the District had "taken action to keep all of the closed session minutes as closed for the dates included in your request (January 2015 to January 2023)."<sup>1</sup> On February 28, 2025, you submitted this Request for Review contesting the District's denial. Specifically, you alleged that any possible final action arising from the closed session discussions in question would have either been abandoned or completed by the time of your FOIA request.

Although not cited in the District's denial, section 7(1)(l) of FOIA (5 ILCS 140/7(1)(l) (West 2023 Supp.), as amended by Public Acts 103-605, effective July 1, 2024; 103-865, effective January 1, 2025) exempts from disclosure "[m]inutes of meetings of public bodies closed to the public as provided in [OMA] until the public body makes the minutes available to

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<sup>1</sup>E-mail from Keith A. Price, Superintendent, North Clay Community Unit School District No. 25, to [REDACTED] (February 21, 2025).

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the public under Section 2.06 of [OMA]<sup>2</sup>." The Public Access Bureau has consistently determined that closed session minutes are exempt from disclosure under the plain language of section 7(1)(l) of FOIA, as long as there is no indication that the public body has voted to make them available to the public under section 2.06(f) of OMA. *See, for example*, Ill. Att'y Gen. PAC Req. Rev. Ltr. 23562, issued March 2, 2015, at 2; Ill. Att'y Gen. PAC Req. Rev. Ltr. 49629, issued September 19, 2017, at 2.

The District's denial asserted that all of the closed session minutes for the period in question remain closed at this time, and this office has received no evidence indicating that the District has voted to make the minutes from any of those closed sessions available to the public under section 2.06(f) of OMA. Accordingly, because the closed session minutes you requested are exempt from disclosure under section 7(1)(l) of FOIA, regardless of the status of any final action that may have arisen from those closed session discussions, this office has determined that no further action is warranted in this matter.

This file is closed. If you have any questions, please contact me at Christopher.Boggs@ilag.gov.

Very truly yours,



CHRISTOPHER R. BOGGS  
Deputy Public Access Counselor  
Public Access Bureau

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cc: *Via electronic mail*  
Mr. Keith A. Price  
Superintendent  
North Clay Community Unit School District No. 25  
953 Kinmundy Road  
Louisville, Illinois 62858  
kprice@northclayschools.com

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<sup>2</sup>Section 2.06(f) of OMA (5 ILCS 120/2.06(f) (West 2022)) provides that the "[m]inutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential[.]"