



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

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ATTORNEY GENERAL

June 24, 2025

*Via electronic mail*

Ms. Deborah F. Weiss  
Whitted Takiff, LLC  
1200 Shermer Road, Suite 400  
Northbrook, Illinois 60062  
dweiss@whittedtakiffllaw.com

*Via electronic mail*

Ms. Debra Kedrowski  
FOIA Officer  
Hinsdale Township High School District 86  
5500 South Grant Street  
Hinsdale Illinois 60521  
dkedrows@hinsdale86.org

RE: FOIA Request for Review – 2024 PAC 81643

Dear Ms. Weiss and Ms. Kedrowski:

This determination is issued pursuant to section 9.5(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(f) (West 2024)).

On May 22, 2024, Ms. Deborah Weiss submitted a FOIA request to the Hinsdale Township High School District 86 (District) seeking copies of the District's "policies and procedures regarding implementation of the District's 'Tip Line'". This should include, but not be limited to, those regarding privacy and the release of records of the 'tips' made to the 'Tip Line.'<sup>1</sup> On May 30, 2024, the District directed Ms. Weiss to the District's Student Handbook posted online and asserted that sections of the handbook pertaining to student records may apply to the extent that a tip may constitute a student record. The District withheld one "record describing

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<sup>1</sup>Portal message from Deborah Weiss to Hinsdale Township High School District 86 (May 22, 2024).

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certain security procedures"<sup>2</sup> pursuant to sections 7(1)(v) and 7(1)(ll) of FOIA (5 ILCS 140/7(1)(v), (1)(ll) (West 2024)). On May 31, 2024, Ms. Weiss submitted a Request for Review challenging the partial denial.

On June 5, 2024, this office forwarded a copy of the Request for Review to the District and asked it to provide a copy of the withheld records, together with a detailed explanation of the factual and legal bases for the applicability of the asserted exemptions. On June 14, 2024, this office received the requested materials, which included both a complete version of its written response for this office's confidential review and a redacted version for this office to forward to Ms. Weiss.<sup>3</sup> On June 20, 2024, this office forwarded a copy of the redacted response to Ms. Weiss; she replied on June 24, 2024.

### DETERMINATION

"All records in the custody or possession of a public body are presumed to be open to inspection or copying." 5 ILCS 140/1.2 (West 2024); *see also Southern Illinoisan v. Illinois Department of Public Health*, 218 Ill. 2d 390, 415 (2006). A public body that withholds records "has the burden of proving by clear and convincing evidence" that the records are exempt from disclosure. 5 ILCS 140/1.2 (West 2024). The exemptions from disclosure are to be narrowly construed. *Lieber v. Board of Trustees of Southern Illinois University*, 176 Ill. 2d 401, 407 (1997).

Section 7(1)(ll) of FOIA exempts from disclosure: "Records concerning the work of the threat assessment team of a school district, including, but not limited to, any threat assessment procedure under the School Safety Drill Act and any information contained in the procedure."

In its response to this office, the District asserted it properly withheld certain records pursuant to section 7(1)(ll) because they were prepared by its District-level and building-level threat assessment teams and contained information concerning its threat assessment procedure. In particular, the District asserted that the withheld records were response plans "developed by members of these threat assessment teams and limited stakeholders with

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<sup>2</sup>Portal message from Debra Kedrowski, FOIA Officer, Hinsdale Township High School District 86, to Deborah Weiss (May 30, 2024).

<sup>3</sup>*See* 5 ILCS 140/9.5(d) (West 2024) ("The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy.").

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operational insight to help inform the plans. The plans reflect the threat assessment team members' knowledge of relevant procedures and their expertise in risk assessment."<sup>4</sup>

In reply to that answer, Ms. Weiss stated that she did "not object to the withholding of public records that address threat assessment procedure or a response plan for attacks on Hinsdale or its facilities."<sup>5</sup> She nonetheless explained that her request was prompted by the District's handling of a tip concerning a student. She stated that the student's parent was asked by the District whether she wanted a copy of the tip, but that "[w]hen the parent accepted the offer of a copy of the tip, she was provided with written paperwork to complete to obtain it, stating that it would be a school student record under the Illinois School Student Records' Act."<sup>6</sup> Ms. Weiss asserted that the parent was informed by the District that it was school policy to seek review from its counsel before releasing copies of tips.

This office's review of the withheld records confirmed that the records contain information regarding the District's threat assessment procedure. The records pertain, in part, to the District's tip line, because they include a process for identifying and assessing tips involving potential security threats. Because the records reflect the work of the District's threat assessment teams and concern threat assessment procedures, the District did not improperly withhold the records pursuant to section 7(1)(II).<sup>7</sup>

The Public Access Counselor has determined that resolution of this matter does not require the issuance of a binding opinion. This letter shall serve to close this matter. If you have any questions, please contact me at the Chicago address listed on the first page of this letter.

Very truly yours,



TERESA LIM  
Deputy Bureau Chief  
Public Access Bureau

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<sup>4</sup>Letter from Matthew M. Swift, Robbins Schwartz, to Teresa Lim, Supervising Attorney, Public Access Bureau (June 14, 2024), at 3.

<sup>5</sup>Letter from Deborah Weiss, Whitted Takiff, LLC, to Teresa Lim, Supervising Attorney, Public Access Bureau (June 24, 2024).

<sup>6</sup>Letter from Deborah Weiss, Whitted Takiff, LLC, to Teresa Lim, Supervising Attorney, Public Access Bureau (June 24, 2024).

<sup>7</sup>Because this determination concludes that the records at issue are exempt from disclosure pursuant to section 7(1)(II), we decline to address the applicability of section 7(1)(v).