

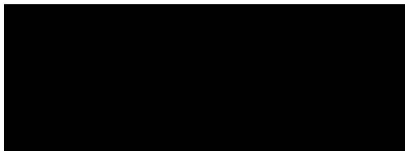


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 3, 2025

Via electronic mail



RE: FOIA Request for Review – 2025 PAC 85882

Dear [REDACTED]:

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

On March 19, 2025, you submitted a FOIA request to McLean County Unit School District No. 5 (District) seeking:

[A]ny questions used in the interview process for new teacher candidates that contain any references to DEI, diversity, equity, inclusion, including the understanding of the meaning of equity, any requirements to prove the candidate's past activities that relate to supporting equity or DEI. This would include standard questions used in phone interviews or in-person interviews.^[2]

¹5 ILCS 140/9.5(c) (West 2023 Supp.).

²McLean County Unit District No. 5 Written Request for District Public Records form completed by [REDACTED] (March 19, 2025).

500 South 2nd Street
Springfield, Illinois 62701
(217) 782-1090 • Fax: (217) 782-7046

115 South LaSalle Street
Chicago, Illinois 60603
(312) 814-3000 • Fax: (312) 814-3806

1745 Innovation Drive, Suite C
Carbondale, Illinois 62903
(618) 529-6400 • Fax: (618) 529-6416

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On March 21, 2025, the District denied your request pursuant to sections 7(1)(c) and 7(1)(q) of FOIA.³ Later that day, you submitted a Request for Review to the Public Access Bureau contesting the District's denial.

Section 7(1)(q) of FOIA exempts from disclosure "[t]est questions, scoring keys, and **other examination data** used to determine the qualifications of an applicant for a license or employment." (Emphasis added.). The Public Access Bureau has consistently determined that interview questions constitute "other examination data" that are exempt from disclosure under section 7(1)(q) because future applicants could exploit such information to gain an advantage over other candidates. *See, for example*, Ill. Att'y Gen. PAC Req. Rev. Ltr. 71541, issued February 13, 2022, at 3 (concluding that "other examination data" includes interview questions); Ill. Att'y Gen. PAC Req. Rev. Ltr. 64023, issued August 4, 2020, at 2 (interview questions exempt under section 7(1)(q)).

Your request specifically seeks interview questions that would be used by the District to evaluate candidates' qualifications for public employment. This information squarely falls within the scope of the section 7(1)(q) exemption regardless of whether you personally intend to use the information to seek employment with the District. Because section 7(1)(q) permits a public body to withhold the information you requested, there is no basis from which this office could conclude that the District improperly responded to your FOIA request. Accordingly, the Public Access Bureau has determined that no further action is warranted in this matter.


This file is closed. If you have FOIA questions, you may contact me by mail at the Chicago address at the bottom of the first page of this letter.

Very truly yours,


SHANNON BARNABY
Senior Assistant Attorney General
Public Access Bureau

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³5 ILCS 140/7(1)(c), (1)(q) (West 2023 Supp.), as amended by Public Acts 103-605, effective July 1, 2024; 103-865, effective January 1, 2025).



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cc: *Via electronic mail*
Mr. M. Curt Richardson
Attorney for the District
McLean County Unit School District No. 5
1809 West Hovey Avenue
Normal, Illinois 61761-4339
richardmc@unit5.org