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Attorney
Board of Education

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 6, 2015

Ms. Allison Wang
1404 Nelson Boulevard
Rockford, Illinois 61104

Re: FOIA Request for Review- 2015 PAC 34930

Dear Ms. Wang:

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 2012), as amended by Public Act 98-1129, effective December 3, 2014). For the reasons that follow, the Public Access Bureau concludes that no further action is warranted as to this matter.

On February 27, 2015, you submitted a FOIA request to Rockford School District #205 (District) seeking information from Internal Revenue Service W-2 and W-3 forms for certain District employees. On March 4, 2015, the District provided responsive records that included the names of employees, but redacted zip codes and other portions of their home addresses pursuant to section 7(1)(b) of FOIA (5 ILCS 140/7(1)(b) (West 2013 Supp.), as amended by Public Act 98-695, effective July 3, 2014). You dispute the redaction of zip codes, asserting that disclosure is necessary to conduct demographic research and to determine whether out-of-state addresses are listed on the forms for tax evasion purposes. You also stated that other public bodies have disclosed zip codes in records provided to you pursuant to FOIA.

Section 7(1)(b) of FOIA exempts from disclosure "[p]rivate information, unless disclosure is required by another provision of this Act, a State or federal law or a court order." FOIA defines "private information" to include "home address * * *, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5) (West 2012), as amended by Public Act as amended by Public Act 98-1129, effective December 3, 2014, 98-806, effective January 1, 2015.

The Public Access Bureau has previously determined that a municipal employee's zip code is part of a home address and, therefore, constitutes "private information" under 7(1)(b) of FOIA because "a simple cross reference of the zip code and the name of the City employee through other commonly available resources such as the phone book, property assessments and

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the Internet could ultimately lead to disclosure of the home address of the employee." Ill. Att'y Gen. PAC Req. Rev. Ltr. 9808, issued February 10, 2011. The redacted zip codes at issue in this matter are directly attributable to the individuals whose W2 and W3 forms you requested. Further, this office is not aware of any law or court order that requires the disclosure of a zip code for the reasons cited in your Request for Review. Accordingly, the District did not improperly redact the zip codes under section 7(1)(b) of FOIA,

Therefore, we have determined that no further action is warranted on this matter. If you have any questions, please contact me at (312) 814-6756. This letter serves to close this file.

Very truly yours,



STEVE SILVERMAN
Assistant Bureau Chief
Public Access Bureau

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cc: Mr. Chris Euhus
Legal Department
Rockford Public School District #205
501 7th Street
Rockford, Illinois 61104