



Administrative Center · 800 Game Farm Road · Yorkville, Illinois 60560 · 630-553-4382 · y115.org

January 9, 2024

**Via Email**

Check CU  
[REDACTED]

**RE: RESPONSE TO FOIA REQUEST**

Dear Check CU:

Thank you for writing to Yorkville Community Unit School District No. 115 (the "District") with your request for information pursuant to the Illinois *Freedom of Information Act* ("FOIA"), 5 ILCS 140/1 *et seq.*, received on January 2, 2024. You requested the following:

"Any and all audio and video recordings and meeting minutes of any Board of Education meetings which included Board discussion or action regarding the book "Just Mercy".

At a minimum, this should include meetings occurring [sic] on:

May 22, 2023

August 7, 2023

I am also requesting minutes and audio/video recordings for Board meetings occurring on:

September 25, 2023

October 16, 2023

October 30, 2023

November 27, 2023"

As a preliminary matter, the open session meeting minutes of all Board meetings are publicly posted online. The meeting minutes can be found at the following website: <https://www.y115.org/Page/5763>.

In regard to your request for audio/video recordings for Board meetings and closed minutes, please note that the District does not video record any Board meetings. Additionally, the District does not audio record regular Board meetings. If the Board enters executive session, the executive session is audio recorded. The Board entered executive session at the May 22, 2023, August 7, 2023, September 25, 2023, October 16, 2023, and November 27, 2023, Board meetings. However, the *Open Meetings Act* prohibits the release of closed session recordings and minutes to the public. 5 ILCS 120/2.06(e) (“Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act.”). Thus, the recordings and minutes are exempt pursuant to FOIA Sections 7(1)(a) and 7(1)(l). See 5 ILCS 140/7(1)(a), (l). Please note that the Board may consider whether to release the August 7, 2023, closed minutes and/or recording at its next Board meeting, so you may wish to resubmit your request for those documents after that meeting.

You have a right to have this response reviewed by the Public Access Counselor (“PAC”) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [public.access@ilag.gov](mailto:public.access@ilag.gov)

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the PAC. You also have the right to seek judicial review of any denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

As the District’s FOIA Officer, I am responsible for the District’s response to your FOIA request. If I have misunderstood your request in any way, please clarify your request in writing to me.

Sincerely,

Cathy Anderson  
FOIA Officer