



# EMPOWERING ALL STUDENTS

Learners Today - Leaders Tomorrow

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March 20, 2019

Mr. Peter D'Agostino  
1248 Westport Ridge  
Crystal Lake, IL. 60156

**Re: Freedom of Information Request**

Dear Mr. D'Agostino:

On Monday, March 18, 2019, Crystal Lake School District No. 47 received a Freedom of Information Act ("FOIA") Request from you. Please find our response to your FOIA in which you requested the following:

- Request a copy of any/all video footage from the Transportation Joint Agreement (TJA) school bus (vin 4DRBUC8NXKB766397) that was driven by Douglas Rhodes to Indian Prairie Elementary School, the morning of 02/25/2019, from the time the bus entered Village road to the time the passengers were dropped off at the school.
- Request a copy of the Indian Prairie school bus route map for the route that Douglas Rhodes was assigned to on 02/25/2019.

With regards to your first request, video and electronic recordings from schools and school buses are specifically exempt from disclosure pursuant to Illinois law. See 23 Ill. Adm. Code 375.10. This rule, promulgated by the Illinois State Board of Education, provides that video recordings created for security or safety reasons, including school bus recordings, are not considered school records: "Video or other electronic recordings created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes, provided the information was created at least in part for law enforcement or security or safety reasons or purposes and electronic recordings made on school buses, as defined in Section 14-3 of the *Criminal Code of 1961* [720 ILCS 5/14-3]. The Illinois FOIA provides that information that is specifically prohibited from disclosure by a State rule or regulation is not subject to release pursuant to FOIA. 5 ILCS 140/7(1)(a).

With regards to your second request, the bus routes used by minor students are also not subject to release pursuant to FOIA. Specifically, the bus routes of individual students are considered 'private information' pursuant to 5 ILCS 140/7(1)(b) and 'personal information' pursuant to 5 ILCS 140/7(1)(c). The disclosure

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300 Commerce Dr. Crystal Lake, IL 60014 815.788.5000

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of student bus routes would constitute a clearly unwarranted invasion of personal privacy, which the FOIA defines as the disclosure of information that is “highly objectionable to a reasonable person and in which the subject’s right to privacy outweighs any legitimate public interest in obtaining the information.” 5 ILCS 140/7(1)(c). Disclosing bus routes for minor children would be highly objectionable to their parents, among others.

To the extent you consider this response is a denial to your request, you have the right to have the denial 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 with writing to: Public Access Counselor Office of the Attorney General, 500 South 2<sup>nd</sup> St., Springfield, Illinois 62706; Fax: 217-782-1396, e-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us); Phone: 312-814-5526. If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days after the date of the denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original request for documents and the denial letter when filing a Request for Review with the PAC. You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

This fulfills our obligation to your FOIA request in the required time frame.

If you have any questions, please feel free to contact me 815-788-5000.

Sincerely,

A handwritten signature in cursive script that reads "Clare F. Bourne".

Clare F. Bourne  
Freedom of Information Officer  
Crystal Lake School District 47

**REQUEST FOR ACCESS TO PUBLIC RECORDS**  
**PURSUANT TO THE FREEDOM OF INFORMATION ACT (5ILCS 140)**

**Date of Request:** March 18, 2019

**FOIA Record #** \_\_\_\_\_

**Name:** Peter D'Agostino

**Organization:** \_\_\_\_\_

**Address:** 1248 Westport Ridge  
Crystal Lake, IL, 60156

**Phone Number:** (847) 431-1413

**I HEREBY REQUEST ACCESS TO THE FOLLOWING RECORDS:**

Request #1 - Request a copy of any/all video footage from the Transportation Joint Agreement (TJA) school bus  
(VIN 4DRBUC8NXKB766397) that was driven by Douglas Rhodes to Indian Prairie Elementary School, the morning of  
02/25/2019, from the time the bus entered Village Road to the time the passengers were dropped off at the school.

Request #2 – Request a copy of the Indian Prairie school bus route map for the route that Douglas Rhodes was assigned to on  
02/25/2019. **Prior to responding to either request, please let me know if any fees would apply. Thanks, Peter**

Within 5 business days of the District receiving your request, you are entitled to a response, or notice that the district is in need of addition processing time (not to exceed an additional 5 business days).When our response is complete, we will contact you.

The District’s response, including all supporting documents, and FOIA request with all submitted information, will be posted online under “Freedom of Information” on the District 47 website. District 47 provides this service as a public courtesy for no fee. Documents will be posted within 10 business days from our response to your request.

Fees will apply after the initial limited amount of black and white copies are provided. Actual cost of color or abnormal size copies will apply.

**FOR OFFICE USE ONLY:**

The District’s response and records were accessed by :  In House Inspection  Pick-up  Mail  Fax  Email

Date: \_\_\_\_\_ Time: \_\_\_\_\_

AMT REC'D: \_\_\_\_\_ Check# \_\_\_\_\_ Cash \_\_\_\_\_

FOIA Officer: \_\_\_\_\_

Witness: \_\_\_\_\_



Crystal Lake Community Consolidated School District 47  
300 Commerce Drive, Crystal Lake, IL. 60014  
Phone: 815-459-6070 Fax: 815-479-8566

