

November 6, 2024

David Asari
[REDACTED]

RE: FOIA Request

Dear Mr. Asari:

This is to acknowledge that Parkland College District No. 505 is in receipt of your commercial Freedom of Information Act (FOIA) request received October 15, 2024, for the following records:

1. "Confirmation of Phi Theta Kappa's criteria at your campus in order to identify potential members. This is usually publicly posted or available through student affairs (If there are multiple campuses that have PTK chapters, please break it down by each campus/chapter).
2. Using the criteria specific to this campus, the percentage of students at the campus that would be identified as eligible for Phi Theta Kappa amongst their peers at this campus for each term since Fall 2020.
3. A breakdown of the inputs/criteria used for both the numerator and denominator of the percentage (in order to standardize and ensure the accuracy of calculations).
4. Any lists, student counts or documentation regarding Phi Theta Kappa eligible member lists generated and produced to Phi Theta Kappa in response to PTK or PTK chapter advisor requests at this campus."

The college's response to each question is detailed below.

1. The criteria for Parkland student participation in Phi Theta Kappa is posted on the college's public website at the following link: <https://www.parkland.edu/Main/About-Parkland/Administration/Dean-of-Students/Student-Handbook/Honors-and-Awards>
2. The college does not have any records responsive to this aspect of the request regarding the percentage of eligible students, as this is not a record the institution maintains. The college is also not obligated to generate new records under the Freedom of Information Act, which states that the FOIA law is "not intended to create an obligation on the part of any public body to maintain or prepare any public record which was not maintained or prepared by such public body at the time when this Act becomes effective, except as otherwise required by applicable local, State or federal law."
3. The college does not have any records responsive to this aspect of the request because it does not maintain a record of the percentage of eligible students.
4. The eligible student count provided to the Phi Theta Kappa chapter leader at Parkland College in 2024 was 711. The college is withholding the 2024 eligibility list containing student data pursuant to the Parkland College Policy 8.08.02. that prohibits the release of directory information to outside agencies. Additionally, the Family Educational Rights Privacy Act (FERPA) is a federal statute providing for confidentiality and disclosure of post-secondary education student records. Your request does not fall within the guidelines of FERPA requiring disclosure without student consent. As such, Parkland College respectfully declines to provide the information requested in your Freedom of Information Act request pursuant to 5 ILCS

140/7(1)(a) and (c). Pursuant to 5 ILCS 140/7(1)(c), Parkland College believes the information requested relating to its students is personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

As the Freedom of Information Act (FOIA) Officer, I am responsible for granting and denying the requests for records under the *Freedom of Information Act*. Please be aware that this response to your request is pursuant to my understanding of your FOIA request. If I have misunderstood your request, please let me know as soon as possible so I may provide the correct information.

Finally, if you believe that this response constitutes a denial of your request, you have the 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 62701
Fax: 217-782-1396
E-mail: public.access@ilag.gov

You also have the right to seek judicial review of this response by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the Public Access Counselor or State court, you will need to include a copy of this letter for the review.

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,



Stephanie L. Stuart
FOIA Officer

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CC: FILE
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