



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

December 9, 2019

Via electronic mail

Ms. Dani Tietz
Mahomet Daily
207 East Oak #D
Mahomet, Illinois 61853
dani@mahometnews.com

RE: FOIA Request for Review – 2019 PAC 60459

Dear Ms. Tietz:

The Public Access Bureau has received the enclosed response to your Request for Review from Mahomet-Seymour Community School District No. 3 (District).

You may, but are not required to, reply in writing to the District's enclosed response. If you choose to reply, you must submit your reply to this office within 7 business days of your receipt of this letter. 5 ILCS 140/9.5(d) (West 2018). Please send a copy of your reply to the District as well.

If you have any questions, please contact me at (312) 814-8413, jjones@atg.state.il.us, or the Chicago address below.

Very truly yours,

A handwritten signature in black ink, appearing to read "Josh Jones", is written over a white background.

JOSH JONES
Deputy Bureau Chief
Public Access Bureau

Enclosure

Ms. Dani Tietz
December 9, 2019
Page 2

cc: *Via electronic mail*
Dr. Lindsey Hall
Superintendent and FOIA Officer
Mahomet-Seymour Community School District No. 3
1301 South Bulldog Drive, Box 229
Mahomet, Illinois 61853
lhall@ms.k12.il.us



Mahomet-Seymour Schools

1301 S. Bulldog Dr., Box 229
Mahomet, IL 61853
Ofc.217-586-2161 Fax 217-586-7591

December 6, 2019

Via electronic mail
Mr. Joshua M. Jones
Deputy Bureau Chief
Public Access Bureau

RE: FOIA Request for Review—2019 PAC 60459
Requestor: Ms. Dani Tietz
Date of FOIA Request: August 5, 2019

Dear Mr. Jones:

This letter is in response to correspondence received from you on December 3, 2019 in regard to the aforementioned FOIA request and the issue of why it was properly or not properly treated as a commercial request.


Our response:

1. It is of importance to note in our response that Ms. Tietz was, ultimately, not charged for her request. I would also direct your attention to the attached emails. I stated that her FOIA request was ready for pick up in the email dated September 9, 2019. She never came to get the request. Because we were at our legal time limit for fulfilling the request, collecting the \$85.00 fee was not likely. As noted in your correspondence, she ended up receiving her request pursuant to a separate FOIA request from October 22, 2019.
2. While there is still some debate on our end about the definition of "media" and "news" and how *Mahomet Daily* fits into that definition, we appreciate and accept any guidance provided by the PAC in this regard moving forward. *Mahomet Daily* is a commercial entity, thus it was treated as such.
3. There were questions about how the FOIA request, if indeed intended for non-commercial purposes, fit into items (i), (ii) and (iii) below:

(c-10) "Commercial purpose" means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

Again, we accept and appreciate your valuable guidance on this matter.

Very truly yours,


Lindsey A. Hall, Ed.D.
Superintendent and FOIA Officer

Cc: *via electronic mail*
Ms. Dani Tietz
Mahomet Daily