

March 6, 2012  
Barbara Burke  
Eastern Illinois Athletic Department  
600 Lincoln Avenue  
Charleston, IL 61920

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EU GENERAL COUNSEL

Dear Athletic Director Burke,

Pursuant to the state open records law, **5 Ill. Comp. Stat. 140/1 to 140/11.5**, I write to request access to and a copy of the athletic squad list for each Eastern Illinois University Intercollegiate Athletics Team.

Please note the recent decision concerning the University of North Carolina, Chapel Hill (*The News and Observer Publishing Company, et al. versus Richard A. Baddour, Director of Athletics for the University of North Carolina, et al.* 10CVS1941 Orange County Superior Court) where the court's holding confirmed that FERPA does not protect the names of recipients of athletic scholarships from open records requests.

(1) Specifically, I request the information commonly stored in CAi detailing the team and names of all Eastern Illinois "counters" for the 2011-2012 academic year per **NCAA Bylaw 15.02.3**.

(2) Additionally, I request the team and names of all Eastern Illinois "initial counters" for the 2011-2012 academic year per **NCAA Bylaw 15.02.3.1**.

(3) Lastly, I request a copy of each intercollegiate teams' "squad list" for the 2011-2012 school year, who's maintenance is required by **NCAA Bylaws 15.5.11 and 15.5.11.1**.

In regards to the each team's squad list, I specifically request:

A. Identification and Status

*1a.* The names of each student-athlete on each team, including each squad member and other student-athletes who do not compete but receive aid that must be counted (for example, student-athletes who are red-shirted, those fulfilling a transfer residence requirement or those who qualify for a hardship waiver) for the 2011-2012 academic year.

B. Eligibility

*1b.* The eligibility status of each student-athlete for each term they attended Eastern Illinois.

### C. Status of Student

- 1c.* The term each student-athlete first enrolled at ANY institution.
- 2c.* The term each student-athlete first enrolled at Eastern Illinois.
- 3c.* The number of years (and the specific years) each student-athlete has received financial aid (not including the current year).
- 4c.* The number of seasons (and the specific seasons) of eligibility each student-athlete has used (not including current year).
- 5c.* Whether each student-athlete was recruited or was not recruited.

### D. Financial Aid Information

- 1d.* The period of award for which each student-athlete received athletic aid.
- 2d.* The amount of athletics grant each student-athlete received for each period of award.
- 3d.* The amount of other aid each student-athlete received that counts against institutional limits for the 2011-2012 academic year.
- 4d.* The amount of total countable aid for each student-athlete for the 2011-2012 academic year.

### E. Countable Players

- 1e.* The full athletic grant in aid amount of each team during the 2011-2012 academic year.
- 2e.* For equivalency sports, the equivalency total of athletic grant in aid for the 2011-2012 academic year.
- 3e.* The list of student-athletes who's aid is exempt from the overall (and initial in football) scholarship limitations for 2011-2012.
- 4e.* The list of student-athletes who's aid counts against the overall (and initial in football) scholarship limitations for 2011-2012.

### F. Change in Status

- 1f.* The list of all student-athletes currently "active" on each squad list for 2011-2012.
- 2f.* If a student-athlete is listed on the 2011-2012 squad list but is no longer active, the reason for the change in status (i.e., cut/dismissed from team "C"; exhausted eligibility in sport "E"; graduated "G"; medical exception resulting from a career-ending injury/condition "M"; or quit "Q").

### G. Revenue Distribution

- 1g.* The list of each team and each student-athlete's automatically generated equivalency-award values for revenue distribution purposes that are used for NCAA reports, surveys, ect. for the 2011-2012 academic year (this equivalency

figure is different from the equivalency numbers requested above because it is the ratio of athletics aid (not the total countable aid) the student-athlete receives compared to the maximum amount that could be awarded (the total cost for tuition and fees, room, board, and books).

I agree to pay any reasonable copying and postage fees of not more than \$2.00. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided by the open records law, I will expect your response within five (5) working days. See **5 Ill. Comp. Stat. 140/3(c)**.

**If you choose to deny this request, please identify which provision of this request you are denying, and provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.**

Please be advised that I am prepared to pursue whatever legal remedy necessary to obtain access to the requested records. I would note that willful violation of the open records law can result in the award of reasonable attorney' fees. See **5 Ill. Comp. Stat. 140/11(i)**.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Bleymaier", with a long horizontal flourish extending to the right.

Joe Bleymaier

Lateral Sports, Inc.