

March 14, 2007

*Sent Via Facsimile*

Randy Kirk  
7326 E.County Road 300 S.  
Dillsboro, IN 47018

*Re: Formal Complaint 07-FC-37; Alleged Violation of the Access to Public Records Act by the Milan Community Schools*

Dear Mr. Kirk:

This is in response to your formal complaint alleging that the Milan Community Schools ("School") violated the Access to Public Records Act by sending the media a different version of minutes than are maintained by the School. I find that you do not have standing to allege a denial of the Access to Public Records Act on behalf of the media.

#### BACKGROUND

You claim that the School violated the Access to Public Records Act when its superintendent's office sent to the media a version of the meeting memoranda that were a summary version of the official memoranda. You have received the expanded version of the minutes of the January 15, 2007 meeting.

#### ANALYSIS

A person who has been denied the right to inspect and copy public records may file a complaint with the Office of the Public Access Counselor. Ind. Code 5-14-5-6(1). Your allegations are that the School sent to the media a mere summary of the official memoranda of the January 15 meeting. You received the expanded version of the memoranda. You allege that you believe that the School should provide the complete version of the minutes to the media. You do not allege that the School released the summary in response to any specific request from the media.

You do not have standing to challenge a denial of the right to inspect and copy the meeting memoranda on behalf of the media. You have also not set forth any facts showing that you were denied the right to inspect and copy the memoranda. Because you do not have standing to file a formal complaint, I cannot issue a formal advisory opinion.

Nevertheless, I can and will issue an informal inquiry response, pursuant to IC 5-14-4-10(5).

#### CONCLUSION

For the foregoing reasons, I find that you do not have standing to file a complaint on behalf of the media, alleging a denial of the right to inspect and copy public records.

Sincerely,

Karen Davis  
Public Access Counselor

cc: Andrew Jackson