

June 8, 2005

Lillian Glisson  
29 N. Tacoma Avenue  
Indianapolis, IN 46201

*Re: Formal Complaint 05-FC-96; Alleged Violation of the Access to Public Records Act by the Ivy Tech State College*

Dear Ms. Glisson:

This is in response to your formal complaint alleging that the Ivy Tech State College ("College") violated the Access to Public Records Act by losing or destroying records of your attendance at the College. I find that there is no evidence that the College destroyed your records, and the College is willing to comply with the Access to Public Records Act.

#### BACKGROUND

You filed your formal complaint after contacting my office about your attempts to get a record of your attendance in certain classes at the College. You allege that on April 20, 2005 you were told that there was only a record of your attendance at one class, for three weeks before dropping it. You state that you actually attended the College for 16 weeks, although it is not clear from your complaint whether the 16 week stint was for the same semester as the three week attendance record, or a different semester. In any event, you believe that your academic attendance record was lost or destroyed in violation of the Access to Public Records Act.

I received a response to your complaint from the Director of Accounts Receivable, Ms. Joyce Bailey. I have enclosed a copy of her response. She indicated the reason you were assessed a technology fee of \$25, which is still outstanding. She also indicated that the records of the College show that you completed a course at the College in the spring 03 semester. Finally, she stated that you may receive a transcript showing your attendance at the College through the Registrar's office.

## ANALYSIS

Any person may inspect and copy the public records of any public agency during the agency's regular business hours, except as provided in section 4 of the Access to Public Records Act. Ind. Code 5-14-3-3(a). Ivy Tech State College is a public agency. *See* IC 20-12-61; IC 5-14-3-2(l). A public agency shall protect public records from loss, alteration, mutilation, or destruction. IC 5-14-3-7(a).

You maintain that you were told that the records of the College showed only three weeks' attendance. You were justified in fearing that the College may have lost or destroyed your records, since you know that you attended a full semester. However, from the information supplied by the College, it appears that the College has maintained records that you attended more than just three weeks. The College states that your transcript is available from the Registrar's office. I recommend that you request in writing your transcript from the Registrar.

## CONCLUSION

For the foregoing reasons, I find that there is no evidence that the College has destroyed or lost your academic records; hence, the Ivy Tech State College has not violated the Access to Public Records Act.

Sincerely,

Karen Davis  
Public Access Counselor

cc: Joyce Bailey