



STATE OF INDIANA

ERIC J. HOLCOMB, Governor

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ANALYSIS

The public policy of the APRA states that “(p)roviding persons with information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information.” *See Indiana Code § 5-14-3-1*. Ivy Tech Community College is a public agency for the purposes of the APRA. *See Indiana Code § 5-14-3-2(n)*. Accordingly, any person has the right to inspect and copy Ivy Tech’s disclosable public records during regular business hours unless the records are protected from disclosure as confidential or otherwise exempt under the APRA. *See Indiana Code § 5-14-3-3(a)*.

Indiana Code § 5-14-3-3 states that production of documents responsive to a request should occur within a reasonable time of the request. While a reasonable time has not been defined by the legislature or the judiciary, this Office and prior Public Access Counselors have opined on what that term means in practicality. Among the factors incorporated in the interpretation of ‘reasonableness’ include size of staff, complexity of a request and any extenuating circumstances.

As mentioned above, the purpose of requiring a reasonable time is to allow an agency to search efficiently and quickly for the records sought in order to meet the timeliness standard. With that being said, it does not appear the Respondents took an unreasonable amount of time to respond to your request based upon the circumstances. The administration does not likely have direct access to an individual professor(s)’s syllabi; therefore, a delay would be warranted. Ivy Tech concedes the search was not done as urgently as it would have liked. It is my anticipation they will handle similar requests with more expediency in the future.

CONCLUSION

Based on the foregoing, it is the Opinion of the Public Access Counselor the Ivy Tech Community College has not violated the APRA.

Luke H. Britt

A handwritten signature in black ink, appearing to read "L. H. Britt", written in a cursive style.

Public Access Counselor



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