



STATE OF INDIANA

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June 9, 2026

Re: Complaint 25-FC-258
Nickol M. Teague (Complainant) v.
Center Grove Community School Corporation (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed September 25, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 28, 2025, requesting a formal response by November 26, 2025. A formal response, submitted by Attorney Sarah Cudahy of Lewis Kappes on behalf of Respondent, was received in this office on November 25, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to provide copies of the requested records and violated the Open Door Law (ODL) by making decisions outside public meetings.

ANALYSIS

This office only has jurisdiction related to the ODL, which is found in IC 5-14-1.5, or APRA, which is found in IC 5-14-3. Many of the issues raised by Complainant in her complaint fall outside the jurisdiction of this office. This opinion seeks to cover the relevant APRA and ODL issues.

The public policy of 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.” Indiana Code (IC) 5-14-3-1. Respondent is a public agency for purposes of APRA; and therefore, subject to the requirements. IC 5-14-3-2(q). As a result, unless an exception applies, any person has the right to inspect and copy Respondent’s public records during regular business hours. IC 5-14-3-3(a).

Complainant filed an APRA request on August 22, 2025, for access to and copies of materials and records pertaining to the Honey Grove Education Center operations with Respondent as follows:

- 1) Contracts and Agreements;
- 2) Financial Records;

- 3) Procurement and Bidding;
- 4) Board Minutes and Agendas;
- 5) Communications;
- 6) Oversight & Performance;
- 7) Conflict of Interest/Ethics.

The requests were broad in many respects and asked for documents dating from January 2016 to present in others.

Respondent replied to the request by acknowledging the filing of the request on August 25, 2025, and responding on September 26, 2025. In the response, Respondent supplied sixty-three (63) responsive records regarding many of the requested records and referred Complainant to its on-line "Board Docs" for board meeting agendas and minutes. Respondent also stated that the request for many of the records, particularly communications, lacked reasonable particularity and that portion of the request was denied. The response cited the lack of identification of recipient and sender and the open-ended communication request of all communications from Respondent to the public regarding changes to school clubs for a ten (10) year period.

APRA provides that "any person may inspect and copy the public records of any public agency during regular business hours of the agency, except as provided in section 4 of this chapter. A request for inspection or copying must:

- 1) identify with reasonable particularity the record being requested; and
- 2) be at the discretion of the agency, in writing or on a form provided by the agency."

IC 5-14-3-3(a).

The Indiana Court of Appeals addressed the meaning of the phrase, reasonable particularity, in *Jent v. Fort Wayne Police Dept*, 973 N.E.2d 30 (Ind. Ct. App. 2012) which involved a request for daily incident logs. The court concluded that reasonable particularity in a record request "turns in part, on whether the person making the request provides the agency with information that enables the agency to search for, locate, and retrieve the records."

The record request by Complainant sought all:

- 1) emails, or internal communication between school officials/board members and representatives of Honey Grove from January 1, 2016, forward and
- 2) internal communications among school administrators or board members specifically referencing Honey Grove.

This office has given guidance on the four (4) aspects of what is required to identify emails for purposes of record requests. The aspects are:

- 1) a named sender;
- 2) a named recipient;
- 3) a reasonable time frame and
- 4) a subject matter or set of unique and connected words.

Opinions of the Public Access Counselor 23-FC-59 and 25-FC-074.

In *Anderson v. Huntington County Bd. Of Commissioners*, 983 N.E.2d 613 (Ind. Ct. App. 2013) the Indiana Court of Appeals held that an identified sender and recipient of an email are necessary for a request to satisfy APRA's reasonable particularity standard. Anderson also referenced the trial court which "stated that allowing requests such as Anderson's would permit a "fishing expedition[.]" quoted again in *Opinion of the Public Access Counselor 13-FC-81*.

Complainant further alleges that the Respondent violated APRA by failing to provide the records in a reasonable time, citing a time lapse of four (4) weeks from the date of the request as being unreasonable.

APRA provides that a public agency may not deny or interfere with the exercise of the right stated in IC 5-14-3-3(a). If the public agency does not deny the request, within a reasonable time after the request is received by agency the public agency shall either:

- (1) Provide the requested copies to the person making the request; or
- (2) Allow the person to make copies:
 - (A) on the agency's equipment; or
 - (B) on the person's own equipment.

IC 5-14-3-3(b).

APRA does not define the term "reasonable time". This office has in the past provided guidance on what would be considered a reasonable time for purposes of compliance with the APRA provisions. An informal benchmark this office observes for a typical response time would be thirty (30) days from the receipt of the request. *Opinion of the Public Access Counselor 20-FC-87*.

However, this office has further observed that many requests cannot be fulfilled within thirty (30) days for a variety of reasons. In those circumstances, this office considers the following factors:

- (1) the size of the public agency;
- (2) the size of the request;
- (3) the number of pending requests;
- (4) the complexity of the request; and
- (5) any other operational considerations or factors that may reasonably affect the public records process.

Respondent argues that the time it took to respond to the record request, thirty-four (34) days, was not unreasonable.

The complaint also raises numerous allegations regarding decisions made outside of public meetings and the lack of details supplied to the public. However, Complainant does not cite any specific meeting to specify lack of notice or improper executive session. Moreover, as Respondent states in its response, all meetings referred to by Complainant were outside of the thirty (30) day statute of limitations for filing a complaint.

This office must follow the statutory guidelines:

a) A person or public agency that chooses to file a formal complaint with the counselor must file the complaint not later than thirty (30) days after:

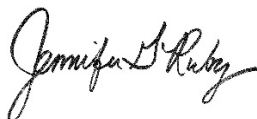
- 1) the denial; or*
- 2) the person filing the complaint receives notice in fact that a meeting was held by a public agency; if the meeting was conducted secretly or without notice.*

IC 5-14-5-7(a).

Complainant references meetings of February 4, 2025, and August 21, 2025, and alleged that actions contrary to the ODL took place before the August 21, 2025, meeting, but gave no specific dates. All dates given are more than thirty (30) days before the filing of this complaint on September 25, 2025. Therefore, the ODL issues will not be considered.

CONCLUSION

This office finds that the Respondent did not violate APRA as alleged in the complaint. All other matters fall outside of the jurisdiction of this office.



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