



STATE OF INDIANA

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July 30, 2026

Re: Complaint 25-FC-349
Jack H. Forrest (Complainant) v.
Indiana University Board of Trustees (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on November 7, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on November 12, 2025, requesting a formal response by December 12, 2025. A formal response, submitted by Anthony Prather, Vice President & General Counsel on behalf of Respondent, was received in this office on December 11, 2025.

The complaint alleges that Respondent violated the Open Door Law (ODL) when a majority of its members gathered in a suite at a college football game.

ANALYSIS

ODL requires public agencies to conduct and take official actions openly, unless otherwise expressly provided by statute, so the people may be fully informed. Indiana Code (IC) 5-14-1.5-1. As a result, the ODL requires all meetings of the governing bodies of public agencies to be open at all times to allow members of the public to observe and record the proceedings. IC 5-14-1.5-3(a).

Respondent is a public agency for the purposes of ODL, and therefore, subject to the requirements. IC 5-14-1.5-2(a)(1). As a result, unless an exception applies, all meetings of Respondent should be posted by notice and open to the public.

Complainant alleges that on October 18, 2025, a majority of Respondent were present in the President's suite at Memorial Stadium in violation of the ODL. Complainant contends that by having a majority constituted an improper public meeting.

ODL defines a meeting as a gathering of a majority of the governing body of a public agency for the purpose of taking official action upon public business. IC 5-14-1.5-2(c). While it appears that the first component of a “public meeting” was met with having a majority of the governing body, it is the intent of the meeting that becomes determinative.

The definition of meeting requires the intent to take official action on public business. *Official action is defined as:*

- (1) receive information;
- (2) deliberate;
- (3) make recommendations;
- (4) establish policy;
- (5) make decisions; or
- (6) take final action.

IC 5-14-1.5-2(d).

The definition of public business, IC 5-14-1.5-2(e), states that:

“Public business” means any function upon which the public agency is empowered or authorized to take official action.

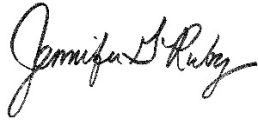
Respondent, in its formal response, stated that the President of the University had extended an invitation to it and various other individuals to visit the suite and watch the game. During the course of the game, or immediately prior to the game, eight (8) of the nine (9) of Respondent visited the suite. The result was a social, if not chance, gathering of Respondent for a non-business-related event. There was no meeting held, in accordance with the definitions of APRA provided above, and no official actions were taken.

Additionally, the definition of “meeting” does not include any social or chance gathering of the majority of the governing body not intended to avoid the ODL. IC 5-14-1.5-2(c)(1).

Nothing restricts the members of the governing body from attending the same social event or athletic outing. However, the phrase “not intended to avoid ODL” is important in that a “social or chance gathering” must not be used to circumvent ODL.

CONCLUSION

This office finds that the Respondent did not violate ODL when its members gathered in the President's suite and watched the Indiana University football game on October 18, 2025.

A handwritten signature in black ink, appearing to read "Jennifer G. Ruby". The signature is fluid and cursive, with the first name "Jennifer" being more prominent.

Jennifer G. Ruby
sPublic Access Counselor