



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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State Examiner Directive: # 2014-1

EFFECTIVE DATE: August 11, 2014

GENERAL SUBJECT: Exit conference confidentiality

AUTHORITY: IC 5-11-1, IC 5-11-5-1, IC 5-14-3-6.5, IC 35-44.2-1-6, IC 35-44.2-1-7

APPLICATION: This Directive applies to all Indiana State and Local Officers, Public Officials, Public Employees, other Public Servants and State Board of Accounts Field Examiners

FROM: State Examiner Paul D. Joyce, CPA

The information discussed and materials delivered communicating about the contents of the exit conference, whether in written, oral, or any other form to a participant in a State Board of Accounts' exit conference are confidential. This information may not be discussed or shared publicly until the State Board of Accounts' report has been filed and made public. The information may be shared with anyone present at the exit conference, an officer or employee of the unit or entity, a consultant, an advisor, or an attorney, hereafter referred to as "Internal Personnel." Public disclosure includes statements and comments made to the media, posted on social media, or to those who are not Internal Personnel. Prior to the opening of an exit conference, each proposed participant shall sign an Exit Conference Acknowledgement in the form attached hereto as Attachment A. If a proposed participant does not sign the Acknowledgement, the proposed participant will be asked to leave the room in which the exit conference is to be held and if he/she refuses to do so, the exit conference shall not proceed.

The exit conference shall not be electronically recorded.

This Directive may be amended from time to time and may be rescinded at any time in writing by the State Examiner or a Deputy State Examiner.

Paul D. Joyce
Paul D. Joyce, CPA
State Examiner

Attachment

Exit Conference Acknowledgement

Name of unit: _____

In recognition that the State Board of Accounts through its State Examiner has issued Directive # 2014-1 providing that the information discussed and materials delivered to a participant in a State Board of Accounts' exit conference are confidential based on the policy of the State Board of Accounts; in recognition of the legislative directive in IC 5-14-3-6.5; and in consideration of being allowed to participate in the exit conference, the following undersigned person ("Participant") hereby agrees:

- (1) not to discuss or publicly disclose the information provided or communicated to Participant during this exit conference with anyone but the other persons present at this exit conference, an officer or employee of the unit or entity, an advisor, a consultant, or an attorney, hereafter referred to as "Internal Personnel," until the State Board of Accounts' report has been filed and made public. (Public disclosure includes statements and comments made to the media, posted on social media, or to those who are not Internal Personnel)
- (2) not to distribute, deliver, or otherwise provide the materials received by Participant during this exit conference to anyone other than to Internal Personnel.

Participant acknowledges that the disclosure of the information or materials provided to him/her during this exit conference or communicating about the contents of the exit conference, whether in written, oral, or any other form will interfere with the statutory duties of the State Examiner and State Board of Accounts.

Participant agrees that he/she will not electronically record the exit conference.

IC 35-44.2-1-6. Interference with state examiner.

A person who interferes with the state examiner is subject to a civil action for an infraction under IC 5-11-1-10.

IC 35-44.2-1-7. Refusal to follow state examiner's directives.

A person who refuses to follow the state examiner's directives is subject to a civil action for an infraction under IC 5-11-1-21.

IC 5-14-3-6.5. Maintenance of confidentiality by other public agencies.

A public agency that receives a confidential public record from another public agency shall maintain the confidentiality of the public record.

Dated: _____, 2014

Initials: _____, _____, _____, _____, _____, _____, _____

Official Name and Title (Printed)

Signature

Official Name and Title (Printed)

Signature