

MORGAN COUNTY PUBLIC LIBRARY
ACCESS TO PUBLIC RECORDS (IC 5-14-3)

Approved by the Board of Trustees August 28, 2023

The Indiana Access to Public Records Act (IC 5-14-3) was enacted to permit citizens of Indiana broad and easy access to public records. By providing the public with the opportunity to review and copy public records, individuals have the ability to fully participate in the governmental process. The Morgan County Public Library is a “public agency” as defined by IC 5-14-3-2(n).

The library has the responsibility to protect its public records from loss, alteration, mutilation, unauthorized access, or destruction, and regulate any material interference with the regular discharge of the functions or duties of the library and its employees.

A request for inspection or copying of public records owned by the library must identify with reasonable particularity the record(s) being requested. The request must be in writing on the “Request for Access to Public Records” form provided by the library. Request forms can be submitted in person, by fax, mail, or e-mail.

No request may be denied because the person making the request refuses to state the purpose of the request, unless such condition is required by other applicable statute.

Some records are excepted from disclosure by law. (IC 5-14-3-4, version b) Requests to inspect or receive copies of such records will be denied unless access is specifically required by a state or federal statute or is ordered by a court under the rules of discovery. These records include, but are not limited to:

1. Personnel files of employees and files of applicants for employment except for:
 - a. The name, compensation, job title, business address & telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the library.
 - b. Information relating to the status of any formal charges against an employee.
 - c. The factual basis for disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.
However, all personnel file information shall be made available to an affected employee or the employee’s representative.
2. Administrative or technical information that would jeopardize a record keeping or security system.
3. Computer programs, computer codes, computer filing systems, and other software that are owned by the library or entrusted to it.
4. Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1.
5. Identity of donors of gifts made to the library if the donor or donor’s family requests non-disclosure as a condition of making the gift.
6. Information identifying library patrons.
7. Personal information of library trustees, except for name, appointing body and dates of appointment, library contact information such as library address and library email address.

A patron shall be allowed access to his/her library records concerning currently checked out material and fines. In addition, a legal guardian and/or parent of a child may also have access to the child's records concerning currently checked out material and fines. The library will not allow a noncustodial parent access to the child's library records if a court has terminated the parent's legal rights and the library has received a copy of the court order or has actual knowledge of the court order.

The library director shall acknowledge a request for records, and in the absence of the library director, the Business Manager or Branch Manager shall acknowledge the request. In their absence, the person in charge of the library is designated to acknowledge the request. The library's attorney may be consulted as needed.

If the request is delivered personally to the library, the request is made by telephone, or the request is made for enhanced access, the library has 24 hours from receipt of the request to respond to the request. If the request is delivered by mail or facsimile, the library has seven days to acknowledge receipt of the request. (IC 5-14-3-9(b)).

Responses will be made in writing if the request was made in writing. If a request is denied, the response will include a statement of the specific exemption or exemptions authorizing the withholding of all or part of the public record.

If the request is not denied, the library shall either allow inspection or provide copies to the person as requested. THE LIBRARY HAS A REASONABLE PERIOD OF TIME TO PROVIDE COPIES OR PERMIT COPYING OF THE RECORDS. (IC 5-14-3-3(b)) Originals shall not be removed from library premises and inspection may be supervised.

The library will not charge any fee to inspect a public record; or to search for, examine, or review a record to determine whether the record shall be disclosed.

The library will furnish one copy of the public record if requested. Payment must be made upon receipt. In accordance with I.C. 5-14-3-8 , the library board of trustees has established the following fee schedule for copies provided by the library:

- Photocopies, letter or legal size - \$.10 per page

- Photocopies, ledger size - \$.20 per page

- Photocopies, color - \$.25 per page

- E-mail transmission – no charge (E-mail transmission is only available if the record(s) is in electronic format suitable for duplication on such medium.)

**MORGAN COUNTY PUBLIC LIBRARY
REQUEST FOR ACCESS TO PUBLIC RECORDS**

By completing this form, you are helping us to administer Indiana's Access to Public Records Act (IC 5-14-3).

Name: _____ Daytime Telephone: _____

Address: _____
(street) (city) (state/zip)

E-mail address: _____ Date and time of request: _____

Please identify with reasonable particularity the record(s) requested.

Please check one (1) below:

This is a request

_____ to allow me to inspect the record(s).

_____ to provide me with a copy of the record in the following format.

___ Photocopy, letter and legal size - \$.10 per page

___ Photocopy, ledger size - \$.20 per page

___ Photocopy, color - \$.25 per page

___ E-mail transmission – no charge

Fees are payable upon receipt of duplicated record(s). E-mail transmission is only available if the record(s) is in electronic format suitable for duplication on such medium.

Do not write below this line. For office use only.

Date and time request received: _____

How request was received: ___ In-Person ___ Mail ___ Fax ___ E-mail ___ Telephone

Name of person receiving request: _____

Response to request: _____

Name and title of person making response: _____

Date and time of response: _____