

February 25, 2008

Kelly Soderlund
600 West Main Street
Fort Wayne, Indiana 46835

Re: Formal Complaint 08-FC-49; Alleged Violation of the Access to Public Records Act by the Timothy L. Johnson Academy

Dear Ms. Soderlund:

This advisory opinion is in response to your formal complaint alleging the Timothy L. Johnson Academy ("School") violated the Access to Public Records Act ("APRA") (Ind. Code 5-14-3) by denying you access to records. I have enclosed a copy of the School's response to the complaint for your reference.

The issue presented here, whether the records created and maintained by The Leona Group, L.L.C. as part of its management agreement with the School are subject to the APRA, has been addressed by my predecessor in *Opinion of the Public Access Counselor 05-FC-238*. In a very thorough analysis, Counselor Davis concluded that the records related to personnel employed by The Leona Group but working at the School were public records subject to the APRA. Counselor Davis thoroughly addressed all the issues surrounding this matter. Because I agree with both the analysis and the conclusion, I am enclosing a copy of that opinion for your reference rather than reiterating the lengthy analysis here.

For the reasons provided by Counselor Davis in *Opinion of the Public Access Counselor 05-FC-238*, it is my opinion you are entitled to the salary information about teachers at the Timothy L. Johnson Academy, pursuant to I.C. § 20-24-4(13) and the Access to Public Records Act.

Best regards,



Heather Willis Neal
Public Access Counselor

cc: Steve Bollier, Timothy L. Johnson Academy