



STATE OF INDIANA

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October 15, 2026

Re: Complaint 26-FC-172
Hunter Cullen (Complainant) v.
Monroe County Community School Corporation (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on March 31, 2026.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on April 14, 2026, requesting a formal response by May 13, 2026. No formal response was received from Respondent concerning the complaint.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) when it failed to acknowledge or comply with his APRA request within seven (7) days, when it improperly denied Request Number 3, and when it failed to provide all non-excepted records within a reasonable time.

ANALYSIS

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.” 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(s). 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).

On February 3, 2026, Complainant filed an APRA request with Respondent, requesting:

1. Contracts, agreements, purchase orders, or service agreements with vendors, contractors, or suppliers for the installation, maintenance,

- monitoring, inspection, repair, or replacement of fire alarm systems, fire detection systems, or related life safety systems across MCCSC schools and facilities (including current, expired, and past contracts from the last 10 years if available).
2. Records of bids, requests for proposals (RFPs), requests for quotes (RFQs), bid tabulations, bid responses, award documentation, or any procurement-related materials for fire alarm systems, components, or services (including any pending or recent solicitations).
 3. Specifications, design criteria, engineering drawings, architectural plans, as-built drawings, schematics, or technical specifications for fire alarm systems installed in MCCSC buildings (covering existing systems and any available for individual schools or district-wide standards).
 4. Any pending documents, plans, proposals, budgets, timelines, or approvals related to new fire alarm system installations, upgrades, replacements, or modernizations (including any in planning, bidding, or construction phases for current or upcoming projects).
 5. Vendor names and contact information where referenced in the above documents.
 6. Dates of installation, last inspection, or major service events if documented.
 7. Any related correspondence, reports, or memos concerning these systems (to the extent they are public records).

On March 6, 2026, Complainant sent an additional email to Respondent, noting that he had received no response concerning his APRA request, and was requesting an update. On March 14, 2026, Respondent replied to Complainant, indicating that it had received his request. Respondent likewise noted that Complainant's Request Number 3 would not be provided pursuant to IC 5-14-3-4(b)(10) and (b)(18). Complainant still had not received the requested documents as of the date of the formal complaint.

Complainant alleges that Respondent violated APRA when:

1. Respondent failed to acknowledge or comply with the initial request within 7 days.
2. Respondent improperly denied Request Number 3.
3. Respondent failed to provide all non-excepted documents for inspection within a reasonable time.

Failure to respond within 7 days

APRA states that if a person makes a request by phone or in person, the public entity needs to acknowledge the request within 24 hours. If a person submits the request by email, fax, or postal mail, the public entity has seven (7) days to acknowledge the request. If the request is not acknowledged within these timeframes, it is considered a constructive denial. IC 5-14-3-4.4(c)(1) & (2).

Complainant made his initial request on February 3, 2026, and did not receive a response until March 14, 2026. Accordingly, this office finds that Respondent violated APRA in failing to respond to, or comply with, Complainant's APRA request within 7 days.

Respondent improperly denied Request Number 3

In its March 14, 2026, response, Respondent noted that it would not be producing the documents responsive to Request Number 3 pursuant to IC 5-14-3-4(b)(10) and (b)(18). IC 5-14-3-4(b)(10) provides that a public agency may deny requests, at its discretion, for:

Administrative or technical information that would jeopardize a record keeping system, voting system, voter registration system, or security system.

IC 5-14-3-4(b)(18) provides that a public agency may also deny requests, at its discretion, for:

School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

This office opines that a fire alarm system does not constitute any system described under IC 5-14-3-4(b)(10), as a plain reading of this section lists several systems unique and separate from a fire alarm system.

However, IC 5-14-3-4(b)(18), speaks directly to safety and security measures, plans, and systems. A plain reading of this section would include fire alarm systems, which are designed and implemented for the safety of those present in a building. As a fire alarm system constitutes a safety system within the meaning of IC 5-14-3-4(b)(18), this office opines that Respondent did not violate APRA when it exercised its discretion to deny Request Number 3.

Respondent failed to produce documents within a reasonable time

If a public agency does not deny an APRA request, within a reasonable time after the request is received by the 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.

Opinion of the Public Access Counselor 25-FC-034.

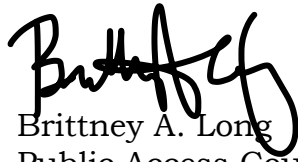
In its response to Complainant, Respondent noted that it would begin to process Complainant's request on March 23, 2026. Complainant filed his complaint with this office on March 31, 2026. As Respondent has not provided any explanation for its failure to fulfill Complainant's request within the 30-day timeframe, this office opines that Respondent violated APRA as alleged.

CONCLUSION

Respondent violated APRA by failing to acknowledge Complainant's request within 7 days.

Respondent did not violate APRA in denying Complainant's Request Number 3 pursuant to IC 5-14-3-4(b)(18).

Respondent violated APRA in failing to produce the non-excepted responsive documents within a reasonable time.

A handwritten signature in black ink, appearing to read "Brittney A. Long". The signature is stylized with a large, looped "B" and a long, sweeping "L".

Brittney A. Long
Public Access Counselor