



STATE OF INDIANA

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October 23, 2026

Re: Complaint 26-FC-198
Travon Byers (Complainant) v.
Gary Community School Corporation (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on April 7, 2026.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on April 21, 2026, requesting a formal response by May 20, 2026. A response from Shelice Tolbert, Attorney, on behalf of Respondent was received by this office on May 20, 2026.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) when it denied his APRA request.

ANALYSIS

The public policy of APRA states that “[p]roviding persons with the 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.” Indiana Code (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).

Complainant filed an APRA request with Respondent on March 5, 2026. This request sought:

- 1) Board meeting agendas, minutes, meeting packets, and supporting materials where the employment status or non-renewal of Principal Carl Scott was discussed or voted upon,
- 2) Any records reflecting the vote of the Board of School Trustees regarding

the non-renewal decision,

- 3) Emails, text messages, messages, or other electronic correspondence between board members, administrators, district officials, or the superintendent referencing Principal Carl Scott or the decision not to renew his contract
- 4) The employment contract of Principal Carl Scott and any renewal notices, non-renewal notices, termination notices, or written communications related to his employment status
- 5) Any investigative reports, memoranda, complaints, or findings reviewed or relied upon in connection with the employment decision
- 6) Notices, memoranda, and attendance records for any executive sessions of the Board of School Trustees where the employment status, performance, or discipline of Principal Carl Scott was discussed
- 7) Any contracts, engagement letters, invoices, or billing records for outside attorneys, investigators, consultants, or firms retained in connection with any investigation or review relating to Principal Carl Scott
- 8) Communications between board members, district administrators, or the superintendent referencing West Side Leadership Academy or Principal Carl Scott in connection with employment decisions

Respondent acknowledged the receipt of the APRA request on March 6, 2026. At the time of filing the complaint (April 7, 2026), no records had been produced by Respondent and no explanation had been provided for denying the request.

On April 16, 2026, Respondent notified Complainant the records request was completed and informed him of a \$1.90 copying charge. Complainant acknowledged receipt of the email. Complainant made payment for the records on April 27, 2026 and picked up the records on the same date. The request has been satisfied as of April 16, 2026.

Respondent indicates there has been a significant uptick in public records requests since it lost its Distress Unit designation and hired a new Superintendent approximately two years ago.

Under APRA, if a public agency does not deny the request, it is required to provide the public records to the requester within a reasonable time. IC 5-14-3-3(b). APRA does not define “reasonable time.”

This office has 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.

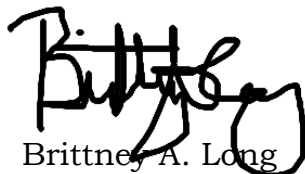
Opinion of the Public Access Counselor 25-FC-034.

This office notes the Complainant filed this complaint thirty-two (32) days from the date he filed his APRA request. In addition, the records were made available to him within nine (9) days of him filing the complaint.

This office opines that a total turn around time of forty-one (41) days from request to production is well within a reasonable time.

CONCLUSION

This office opines that Respondent did not violate APRA as alleged in the complaint.

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 underline.

Brittney A. Long
Public Access Counselor