



OFFICE OF THE PUBLIC ACCESS COUNSELOR
FORMAL COMPLAINT

State Form 49407 (R5 / 5-13)

PUBLIC ACCESS COUNSELOR
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INSTRUCTIONS: This form is to be used only when filing complaints under Indiana Code 5-14-5.
All information provided is disclosable under the Access to Public Record Act. PLEASE TYPE OR PRINT.

FOR OFFICE USE ONLY
Date received (month, day, year)
Complaint number
Date due (month, day, year)

COMPLAINANT INFORMATION

Name (last, first, middle initial)
Anthony Lux
City: Crown Point, State: IN, ZIP code: 46307
Fax number: ( )

INFORMATION ABOUT PUBLIC AGENCY DENYING ACCESS

Name of public agency
Indiana State Board of Education
Address (number and street)
S. Tower, Ste. 600, 115 W. Washington Street
City: Indianapolis, State: IN, ZIP code: 46204
Telephone number: (317) 232-6610
Fax number: ( )
E-mail address: webmaster@doe.in.gov

Name of Elected / Appointed Official or Presiding Officer responsible for the denial
Daniel Elsener, Tony Walker, David Freitas, Cari Wicker, Sarah O'Brien, Andrea Neal, Brad Oliver, B.J. Watts, Troy Albert, Gordon Hendry

COMPLAINT (Check all that apply.)

Open Door Law Violation
Public Records Access Violation
Request for priority status
Date denied access to public record: On or before October 16, 2013
Date notified of denial of access to meeting: On or about October 18, 2013

Please describe denial of access to meeting or public records below. Attach additional sheets if necessary. (Required)
On October 16, 2013 ten (10) members of the Indiana State Board of Education, Daniel Elsener, Tony Walker, David Freitas, Cari Wicker, Sarah O'Brien, Andrea Neal, Brad Oliver, B.J. Watts, Troy Albert, and Gordon Hendry wrote a letter to the Indiana State President pro tempore, David Long, and to the House Speaker, Brian Bosma, requesting the State Legislature to issue a directive to George Angelone, Director of the Legislative Services Agency, to take certain action with respect to Indiana's 2012-2013 A-F grading system of schools. In response, on October 18 Senate President pro tempore Long and House Speaker Bosma wrote a letter to Angelone directing him and his staff to begin the actions requested by the individual Board members. Both letters are attached to this Formal Complaint. The aforementioned individual Board members violated the Indiana Open Door Law by meeting and conducting public business in secret to take official action to draft, or direct the drafting of, the October 13, 2013 letter. To take this official action, the individual Board members would have had to consult with and receive information from one another, deliberate, make recommendations, establish policy, make decisions, or take final action. Whatever the nature of the meeting involving the individual Board members, that meeting was (cont'd on attached sheet)

PLEASE ATTACH COPIES OF ANY WRITTEN DENIAL OR DOCUMENTATION CONCERNING DENIAL.

Signature
Date (month, day, year)