

PLYMOUTH PUBLIC LIBRARY

ACCESS TO LIBRARY PUBLIC RECORDS POLICY

In accordance with IC 5-14-3-3, any person may inspect and copy the public records of Plymouth Public Library during the regular business hours of the Library, except as provided in IC 5-14-3-4. A request for inspection or copying must:

1. identify with reasonable particularity the record being requested; and
2. be in writing.

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.

The Library will not deny or interfere with the exercise of the right to inspect and copy public records. The Library shall either:

1. provide the requested copies to the person making the request: or
2. allow the person to make copies on the Library's equipment or on the person's own equipment.

The payment for copying costs must be made in advance.

The Library will not:

1. permit a person to inspect and copy through the use of enhanced access public records containing information owned by or entrusted to the Library: or
2. permit a governmental entity to use an electronic device to inspect and copy public records containing information owned by or entrusted to the Library.

The library shall make reasonable efforts to provide to a person making a request a copy of all disclosable data contained in the records on paper, disk, or any other method of electronic retrieval if the medium requested is compatible with the Library's data storage system. This subsection does not apply to an electronic map.

A person who receives information in electronic format may not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes. Use of information received electronically in connection with the preparation or publication of news, for nonprofit activities, or for academic research is not prohibited. A person who

uses information in a manner contrary to these rules will be prohibited by the Library from obtaining a copy of any further data via electronic means.

The library may not disclose lists of employee names and addresses (including email addresses) to any individual or entity for political purposes, and such lists may not be used by any individual or entity for political purposes. In addition, the lists of names and addresses (including email addresses) may not be disclosed to commercial entities for commercial purposes and may not be used by commercial entities for commercial purposes. For purposes of this subsection, "political purposes" means influencing or attempting to solicit a contribution to influence the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question.

Public Records Excepted from Disclosure

In accordance with IC 5-14-3-4, the following public records are excepted from public access and will not be disclosed by the Library, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery. These excepted records include:

1. Those declared confidential by state statute.
2. Those declared confidential by rule adopted by the Library under specific authority to classify public records as confidential granted to the Library by statute.
3. Those required to be kept confidential by federal law.
4. Records containing trade secrets.
5. Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by the Library pursuant to state statute.
6. Information concerning research, including actual research documents, conducted under the auspices of an institution of higher education, including information:
 - a. concerning any negotiations made with respect to the research; and
 - b. received from another party involved in the research.
7. Grade transcripts and license examination scores obtained as part of a licensure process.
8. Those declared confidential by or under rules adopted by the supreme court of Indiana.
9. Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.
10. A social security number contained in the records of the Library.

In addition, the Library declares the following public records to be excepted from public disclosure in accordance with IC 5-14-3-4(b):

1. The work product of an attorney representing the Library.
2. Test questions, scoring keys and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.
3. Scores of tests if the person is identified by name and has not consented to the release of the person's scores.
4. Records that are of an advisory or deliberative nature, including material developed by a private contractor under a contract with the Library, records that are expressions of opinion or are of a speculative nature, and records that are communicated for the purpose of decision making.
5. Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.
6. Personnel files of Library employees and files of applicants for Library employment, except for: (A) the name, compensation, job title, business address, business 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 the employee; and (C) the factual basis for a 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 the affected employee or his or her representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.
7. Administrative or technical information that would jeopardize a recordkeeping or security system.
8. Computer programs, computer codes, computer filing systems, and other software that are owned by the Library or entrusted to it.
9. Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1. 5-6.1. However, this subdivision does not apply to that personnel information required to be available for inspection and copying under subdivision (6).
10. The identity of a donor of a gift made to the Library if: (A) the donor requires nondisclosure of his or her identity as a condition of making the gift; or (B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

11. Library or archival records: (A) that can be used to identify any patron of the Library; or (B) deposited with or acquired by the Library upon a condition that the records be disclosed only: (i) to qualified researchers; (ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or (iii) after the death of persons specified at the time of the acquisition or deposit.

In accordance with IC5-14-3-4(d), notwithstanding any other law, a public record that is classified as confidential, other than a record containing an adoption, shall be made available for inspection and copying 75 years after the creation of that record.

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REQUEST TO ACCESS TO PUBLIC RECORDS

By completing this form, you are participating in Indiana's Access to Public Record Act (IC 5-14-3). This form must be completed before your request can be considered.

Name: _____ Date & time of request: _____

Address: _____

Phone: _____ Email address: _____

Please identify the specific record(s) being requested: _____

Please check one below:

This is a request:

___ to allow me to inspect the record(s)

___ to provide me with a copy of the record(s). Fees are payable at the time of request.