

**EAST NOBLE SHOOOL CORPORATION
RESOLUTION REGARDING RESTRICTIONS ON
COMMERCIAL USE OF PUBLIC RECORDS**

WHEREAS, EAST NOBLE SCHOOL CORPORATION is a school corporation organized pursuant to Ind. Code § 20-26 which is a Public Agency as defined by Ind. Code §5-14-3, and which is subject to the provisions of said statute with respect to access of its public records; and,

WHEREAS, Ind. Code §5-14-3-3(a) permits the School Board of Trustees of EAST NOBLE SCHOOL CORPORATION to adopt and "ordinance" limiting the commercial use of its public records;

NOW THEREFORE, BE IT RESOLVED:

1. This Resolution shall be considered an "ordinance" as such term is used in Ind. Code §5-14-3-3(a), prescribing the conditions under which a person who receives information electronical, whether on disk, tape or otherwise, may use such information for commercial purposes; and,
2. Any such request for the release of public documents or information shall be subject to the following proscription on its use, to wit: such information shall not be used for any commercial purpose, including, but not limited to its use as an aid to selling, advertising, soliciting the purchase of merchandise, goods or services, or to sell, loan, give away, or otherwise deliver information obtained by the request to any other party for any of the above-prescribed purposes.

BE IT FURTHER RESOLVED, that any person requesting the release of public Documents by EAST NOBLE SCHOOL CORPORATION shall execute an agreement with said school corporation acknowledging that such information shall not be used contrary to the prohibitions set forth herein, and agreeing that it shall be liable to said school corporation for liquidated damages in the amount of five thousand dollars (\$5,000.00), together with reasonable attorney's fees and costs expended, in the event it violates the proscription of such use, and further agreeing to submit to the jurisdiction of the Noble County Circuit Court as a named defendant in a cause of action brought by East Noble School Corporation to obtain a judgment therefor.

Ayes

Nay

