

## **COLORADO OPEN RECORDS ACT REQUESTS**

### **Introduction**

Pursuant to C.R.S. § 24-72-201 to 206, the “Colorado Open Records Act” (the “Act”), all public records must be open for inspection by any person at reasonable times, except as provided by law. This policy sets forth the official custodians’ rules for the inspection of such records, as provided in the Act, which rules are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office. This policy specifies how the Act will be applied in a uniform and reliable manner. This policy applies to all requests, submitted pursuant to C.R.S. § 24-72-201 et seq., to inspect public records in the custody or control of this entity.

### **Requirements for requesting to inspect public records:**

1. All requests to inspect public records must be submitted in writing to the official custodian. Requests made to any person other than the proper custodian will not be accepted. Requests must be mailed. Requests made via facsimile, electronic mail, social media, or any other means shall not be accepted and must be resubmitted. The date the request is received by the custodian will constitute the “date of receipt”. Requests should be addressed to: Official Records Custodian, 165 S Union Blvd, Suite 777, Lakewood, CO 80228.
2. All requests for records must be specific as to the records sought and the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the custodian may require the requestor to provide a more specific request.
3. If a requestor is unable to identify the specific document(s) sought, the requestor is encouraged to contact the relevant custodian in advance of submitting a request for assistance in providing the requisite specificity.
4. There are several categories of information that are protected by State and Federal law.
5. The custodian is not required by the Act to construct or create a record that does not exist. Nor is the custodian required to manipulate or analyze information in a new way in order to respond to a request.

**Time for response to records requests shall be as follows:**

The normal time for production shall be three (3) working days; beginning on the first business day after the request is received.

Such period may be extended upon determination by the custodian that extenuating circumstances exist. Such period of extension shall not normally exceed seven (7) working days. The requestor shall be notified of the extension within the three-day period.

Requests to inspect records will not take priority over the regular work activities of employees, directors, officers or the custodian.

**Charges for copies of requested records shall be as follows:**

The normal cost for requested documents shall be \$.25 per page or, for documents in non-standard formats, the actual duplication costs.

The custodian will charge a research and retrieval fee based on the actual cost of responding to the request; provided, however, that the hourly rate is \$33.58 per hour and there shall be no charge for the first hour of time. Multiple requests by the same party within 30 days will be charged as one request. If the custodian charges research and retrieval fees under this paragraph, copying shall be charged at a rate of \$.25 per page.

Payment must be received prior to the requestor inspecting records or receiving copies.

If charges are expected to exceed \$25.00, the custodian will provide the requestor with an estimate of the cost of responding prior to responding and shall require a deposit of funds reasonably anticipated to defray the cost before producing records. If the requestor wishes to proceed once receiving an estimate, he or she must respond in writing. By responding in writing, the requestor agrees to pay all fees associated with responding to the request. The time between the date of the custodian's estimate and the receipt by the custodian of a written response to proceed will not be counted against the time period set forth above.

If a requestor wishes to inspect available records in advance of receiving copies, such inspection shall be by appointment only during normal working hours. Such inspection must be supervised by a school representative and the requestor may be charged for any time exceeding one hour associated with such inspection.