

## **PUBLIC'S RIGHT TO KNOW/FREEDOM OF INFORMATION**

### **Introduction**

This regulation describes the guidelines for responding to requests from members of the public for the inspection of public records maintained by the school district. This regulation applies only to printed material released by Colorado Springs School District 11 (the District) in response to a written request. This regulation does not apply to telephone inquiries where an oral response is appropriate and satisfactory to the requestor.

### **Procedure for Public Records Requests**

The Custodian of Records will treat all public records requests as a request made under the Colorado Open Records Act (CORA).

1. All requests for public records must be made in writing to the district's Custodian of Records (Custodian). Requests may be provided in person, may be mailed, sent via facsimile, or sent via email to the Office of Records Management. If a request is sent to anyone other than the Custodian, it will not be considered received by the District.
2. All requests for records maintained by the District must be specific as to the records sought and the relevant dates. Requests shall be specific enough to allow the District to efficiently identify the requested record and respond to the request. 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 the requested public record is in active use, in storage, or otherwise not readily available at the time of the person's request, the person requesting the record shall be notified. The Custodian of Records will then make the record available within a reasonable time of the person's request.

A reasonable time shall not exceed three working days. Such period may be extended upon determination by the Custodian that extenuating circumstances exist in accordance with state law. Such period of extension shall not normally exceed seven working days. The requestor shall be notified of the extension within the three-day period.

4. The Custodian will provide the requestor with an estimate of the cost of responding and will require full payment prior to completing work associated with the request. If the requestor wishes to proceed upon receiving an estimate, he or she must respond in writing and submit payment. 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 request to proceed will not be counted against the time.

5. Upon receipt of payment of any applicable copy costs and/or other fees or upon making payment arrangements with the person requesting the record, the Custodian will transmit a copy of the record by United States mail, other delivery service, facsimile, or electronic mail, or provide review of the record in person. Transmission will occur as soon as practicable but no more than three business days after the District's receipt of payment, or making arrangements to receive such payment.

If the District does not have facilities for making a copy of a record that a person has the right to inspect, the person shall be granted access to the record for the purpose of making a copy. The copy shall be made under the supervision of the Custodian or designee. When practical, the copy shall be made in the place where the record is kept but if it is impractical to do so, the Custodian may allow arrangements for the copy to be made at another facility. Inspection of any public record shall take place in an area designated by the District's Custodian and shall occur in a manner that will not be disruptive to District operations. District employees may be assigned to monitor any inspection of public records.

The District has no duty to create a public record that does not already exist.

### **Costs and Fees**

Charges for copies and processing of requested records shall be as follows:

- 1) \$0.25 cents per standard copy page.
- 2) \$30.00 per hour of work to research, retrieve and prepare information. Time may be rounded. There is no fee for the first hour of work.
- 3) Postage may be charged.
- 4) Fees may be charged for costs associated with storing electronic files (i.e. compact discs/flash drives).
- 5) In the discretion of the Custodian, the above fees may be waived or lessened.

### **Subpoena for Records**

When the District receives a subpoena for records, the subpoena should be forwarded to the Office of Records Management. The Custodian will work with the appropriate persons to comply. The Custodian will deliver documents to the court in response to subpoenas for records.

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LEGAL REF.: 20 U.S.C. 1232g  
C.R.S. 22-16-101, et seq.

C.R.S. 24-72-201, et seq.

CROSS REF.: JRA/JRC, Student Records/Release of Information on Students  
JRCB, Privacy and Protection of Confidential Student Information  
KDB, Public's Right to Know/Freedom of Information  
The Colorado Springs School District 11 Board of Education Operating  
and Procedures Manual