

## DSST Public Schools Colorado Open Records Act (CORA) Policy

### I. INTRODUCTION

Pursuant to C.R.S. § 24-72-200.1 *et seq.*, the “Colorado Open Records Act” (“the Act” or “CORA”), all public records must be open for inspection by any person at reasonable times, except as provided by law. This policy sets forth DSST’s official custodian’s 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 records custodian or the custodian's office.

### II. POLICY STATEMENT

This policy applies to all requests, submitted pursuant to C.R.S. § 24-72-200.1 *et seq.*, to inspect public records in the custody or control of DSST Public Schools. DSST is committed to the guiding principles of openness, transparency, accountability and responsiveness. In addition to any requirements imposed directly by CORA, the following are DSST’s conditions concerning requests to inspect public records:

1. The official custodian of DSST Public Schools is the Home Office Chief of Staff. All requests to inspect public records must be submitted in writing to the official custodian of DSST. Requests made to any person other than the proper custodian will not be accepted.
2. Requests may be mailed or sent via facsimile. The date the request is received by the custodian will constitute the “date of receipt”. Requests made via electronic mail will not automatically be accepted. The custodian, at the custodian’s sole prerogative, may accept requests sent via email upon request. Should the custodian accept an email request, the statutory time for response will begin when the custodian provides confirmation to requestor. If a request is sent via email to anyone other than the custodian, it will not be considered as received by DSST.
3. 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.
4. If a requestor is unable to identify the specific document(s) sought, the requestor is encouraged to contact the official custodian in advance of submitting a request for assistance in providing the requisite specificity.
5. There are several categories of information that are protected by State and Federal law. If records are not produced because of one of these protections, DSST will inform the requestor of the basis for denying the request.
6. DSST is not required by the Act to construct or create a record that does not exist. Nor is DSST required to manipulate or analyze information in a new way in order to respond to a request.
7. Unless CORA provides otherwise, time for response to records requests shall be as follows: (a) The normal time for production shall be three working days, beginning on the first business day after the request is received. (b) Such period may be extended upon determination by the custodian that

extenuating circumstances exist. Such period of extension shall not normally exceed seven working days. The requestor shall be notified of the extension within the three-day period.

8. Requests to inspect records will not take priority over the regular work activities of DSST employees.
9. Charges for copies of requested records shall be as follows: (a) The normal cost for requested documents shall be \$.25 per page or, for documents in non-standard formats, the actual duplication costs. (b) At the custodian's prerogative, the custodian may charge a research and retrieval fee based on the actual cost of responding to the request; provided, however, that the maximum hourly rate for employee time is thirty dollars per hour, or whatever maximum amount CORA provides, see C.R.S. 22-72205(6), and there shall be no charge for the first hour of employee time. If the custodian charges research and retrieval fees under this paragraph, copying shall be charged at a rate of \$.15 per page. (c) Payment must be received prior to the requestor receiving copies or documents in any form.
10. If charges are expected to exceed \$25, the custodian will provide the requestor with an estimate of the cost of responding prior to responding and may require a deposit. 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.
11. 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 DSST representative and the requestor may be charged for employee time associated with such inspection.