



## **Board of Education Policy KDB: Public's Right to Know - Freedom of Information**

Pursuant to the Colorado Public (Open) Records Act and the Colorado Open Meetings Law, meetings of the Board of Education and actions taken by the Board are matters of public record. In addition, the Board of Education supports the right of the public to obtain information about the programs and services of their schools and the District. It is the policy of the Board to make every reasonable effort to disseminate information regarding the operation of the various schools, departments and the actions of the Board of Education.

Although most activity undertaken by the schools, the District and/or the Board of Education are matters of public record, certain matters are not subject to disclosure in that they are confidential or disclosure would be contrary to the public interest as defined within applicable statutes or the release of that information is prohibited by law.

### **Adopted Regulations KDB-R**

This regulation 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 Denver Public Schools (DPS). DPS is committed to the guiding principles of openness, transparency, accountability and responsiveness.

This regulation is intended to balance the demands of the Colorado Open Records Act and DPS's obligations as a public school district within the State of Colorado.

#### **A. Requirements for requesting to inspect public records for DPS.**

1. All requests to inspect public records must be submitted in writing to the official custodian of DPS, the Communications Team, at [CORA@dpsk12.org](mailto:CORA@dpsk12.org). Requests made to any person other than the proper custodian will not be accepted.
2. Requests may be emailed to [CORA@dpsk12.org](mailto:CORA@dpsk12.org) or sent via U.S. mail to: CORA, 8<sup>th</sup> Floor, Emily Griffith Campus, 1860 Lincoln St., Denver, CO 80203. The date the request is received by the custodian will constitute the "date of receipt". Requests may be made via electronic mail and the custodian will attempt to acknowledge electronic mail regularly; however, it is the acknowledgement that will begin the deadlines under CORA as electronic mail is not always received regularly. If a request is sent via e-mail to anyone other than the custodian, it will not be considered as received by DPS.
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 relevant 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. These categories of information will not be disclosed.
6. DPS is not required by the Act to construct or create a record that does not exist. Nor is DPS required to manipulate or analyze information in a new way in order to respond to a request.
7. Time for response to records requests shall be as follows:
  - a. The normal time for production shall be three (3) 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 (7) 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 DPS 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. The custodian may charge a research and retrieval fee based on the actual cost of responding to the request; provided, however, that the hourly rate for employee time is \$30 per hour, 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.
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 DPS representative and the requestor may be charged for any employee time exceeding one hour associated with such inspection.

*Questions about this policy or regulations? Please contact [communications@dpsk12.org](mailto:communications@dpsk12.org).*