

Policy KDB- Open Records/Open Meetings 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.

1. Open Records/Meetings

a. All Board activities, decisions, financial records, and policies adopted by the Board of Education are matters of public record, and any written documentation regarding same shall be available for inspection where they are maintained during office hours subject to reasonable notice, if not otherwise available immediately. Generally, for excessive records requests, the Board is allowed three business days pursuant to statute to compile data requested.

b. Similarly, schools within the District shall disclose all activities, school based decisions, and financial expenditures to members of the general public, if so requested. The Board of Education encourages each principal to use any and all means available to keep parents and others within the community informed about a particular school's program and activities.

c. Electronic mail transmissions, subject to the parameters set forth in Board of Education Electronic Mail Policy EGAEA.

d. The Board of Education recognizes the importance of the public's right to know in relation to activities of the Collaborative Decision Making teams within the various schools of the District. All official actions taken by a CDM shall be available to all members of that CDM as well as the public in general. CDMs shall implement procedures to keep records of meetings and decisions and shall disseminate this information if requested. Any activity undertaken by a CDM which involves personnel matters, shall be subject to nondisclosure except as provided hereinabove.

e. The Board of Education is required to comply with the Colorado Open Meetings Law as set forth in C.R.S. 24-6-401, et seq. Although this statute does not apply to departments or agencies under the jurisdiction of the Board of Education, the Board encourages all CDMs to adhere to the spirit of the Open Meetings Law. In this regard, full and timely notice of CDM meetings with a proposed agenda should be posted within a designated location at every school. All CDM

members should be notified of the meeting. The public should be invited to attend the CDM meeting and participate pursuant to rules adopted by the individual CDM entities. Public participation may be excluded during discussions regarding topics or matters subject to the following paragraph 2.

2. Records Not Available To The Public

Certain records maintained by the District are confidential and not subject to release to the general public. Those records include, but are not necessarily limited to the following.

a. Any and all records that relate to students wherein any student could be identified from release of the information.

b. District personnel records that relate to employees

except that the following may be released.

(1) Application of past or current employees

(2) Employment agreements

(3) Any compensation including expense

allowances and benefits

(4) Performance ratings/classified employees only

(5) Any amount paid or benefit provided incident to termination of employment

c. Other records required by federal or state law and/or regulations or judicial decisions to remain confidential and/or not subject to disclosure.

3. Procedures

a. The Superintendent's Office and the Legal Service's Office shall be notified by departments and/or schools of any formal written public records request received pursuant to C.R.S. §24-72-204, et seq.

b. Although the Board encourages the release of information, in situations where the request for information is voluminous or would require staff time to compile the information if hard copies are requested, the Board will charge a reasonable fee for furnishing copies but said fee shall not exceed actual costs. The Superintendent shall institute procedures for assessing reproduction costs for any information requested.

Current practice adopted: codified 1993

Adopted: April 1994

Revised: August 16, 2001

LEGAL REFS.: C.R.S. 22-9-109

C.R.S. 22-32-109 (1)(c)

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

CROSS REFS.: BEDG, Minutes

CBIA, Public Inspection of Superintendent's Evaluation

GBJ, Personnel Records and Files

JRA/JRC, Student Records/Release of Information on Students