

## PUBLIC RECORDS REQUESTS

- 1.0 This policy shall apply to requests from parents, community members, media organizations, and other third parties (hereafter referred to “requesting parties”) for public records maintained in the District’s Educational Support Center, school buildings, or other District offices.
- 2.0 “Public records” include all writings made, maintained, or kept by the District for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. “Writings” is defined to include all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, including digitally stored data and electronic mail messages. “Public records” described by this policy do not include education records of current or former students enrolled in the District or personnel files of current or former employees. Production of education records shall be as provided in Superintendent Policy 5300.
- 3.0 **Process for Requesting Records:**
  - 3.1 The requesting party shall request records in writing, reasonably specifying the record or records desired and submit such request to the District Records Manager (for records which the applicant believes are maintained at the District’s Educational Support Center, or for those District records which the applicant does not know the location), the District’s Chief Human Resources Officer (for employment records) or to the building’s principal (for school-based requests). A form which may be used to make an open records request is attached to this policy as Exhibit 1. The District’s Records Manager, the Chief Human Resources Officer, and the Principal in each school are designated as the District’s records custodians for purposes of the Colorado Open Records Act. Records requests submitted to other District employees may result in delays in the production of requested records. The District will not respond to broad or general requests for unspecified documents.
  - 3.2 The appropriate records custodian will respond, in writing or otherwise, within three (3) working days, beginning on the first business day after the request is received, of the request with one of the following responses:
    - 3.2.1 Requested records are ready to be inspected at the requesting party’s earliest convenience.
    - 3.2.2 Requested records are not in the custody or control of the records custodian including, to the best of the custodian’s knowledge and belief, the reason for the absence of the records, the location of the records, and the person(s) who may have custody or control of the records, if known.
    - 3.2.3 Requested records are in active use, in storage, or otherwise not readily available, including a date and hour, generally within three (3) working days, beginning on the first business day after the request is received, barring extenuating circumstances, at which time the records will be available for inspection.
    - 3.2.4 Requested records will take longer to prepare for inspection, up to seven (7) additional working days as permitted by statute, because of extenuating circumstances for one of the following reasons:
      - 3.2.4.1 The request is broadly stated and encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three-day period;

- 3.2.4.2 The request is broadly stated and encompasses all or substantially all of a large category of records and the custodian is unable to prepare or gather the records within the three-day period because:
  - 3.2.4.2.1 The District needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is either unique or not predicted to recur more frequently than once per month; or
  - 3.2.4.2.2 The request involves such a large volume of records that the custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the custodian's obligation to perform his or her other public service responsibilities.
- 3.2.5 The requested record does not exist, or would require the custodian to manipulate existing records or data into a new record.
- 3.2.6 Requested records are not subject to public inspection under the Colorado Open Records Act.
- 3.3 Requesting party must notify the records custodian if he or she wishes to have copies of the requested documents, rather than just the opportunity to inspect them. Copies of documents will be provided at \$.25 per page; copies of other writings will be provided for the actual cost of duplication. The records custodian may waive fees in the amount of \$5.00 and less in his/her discretion. If the location of specific documents must be researched or the documents must be redacted, retrieved, sorted or reviewed for applicability to the request, the District will charge a reasonable research and retrieval fee of \$30.00 per hour after the first hour. Multiple requests by the same party within 30 days will be charged as one request.
- 3.4 The records custodian shall designate a time and location within the office for inspection of records and may require the requestor to set an appointment to review the records. The records custodian shall take reasonable measures, which may include the presence of a District employee during the period the records are inspected, to protect against destruction, loss, or misfiling of the documents.
- 3.5 Requesting party will appear to inspect or pick up copies of the requested records. The records custodian will transmit requested records by mail or hand delivery upon prepayment by the requesting party of the copy costs, research and retrieval fee, and postage costs (if applicable).

CROSS REFERENCE:  
Code: 5300

LEGAL REFERENCES:  
C.R.S. 24-72-201 et. seq.

Adams 12 Five Star Schools

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**PUBLIC REQUEST FOR OPEN RECORDS FORM**

Adams 12 Five Star Schools records are open to public review unless otherwise exempted from disclosure by state or federal law. Inspection of public records shall take place where designated by the custodian of the record, shall not be disruptive to the operations of the office, and shall be done in the presence of the custodian of the record or designee. There is no duty to create a public record that does not already exist. The District will charge a redaction/research/retrieval fee of \$30 per hour, after the first hour if the requested record(s) require staff research, retrieval or sorting. Multiple requests by the same party within 30 days will be charged as one request. Any such fee shall be paid prior to inspection of the records. Copies may be furnished upon request and within a reasonable time and will cost 25 cents per page, to be paid in advance.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date of Request

\_\_\_\_\_  
\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

Need Inspection Only
Need Copies

Information and/or Documents Requested (Please be specific):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<b>Date of Notification to Requesting Party</b> _____ <b>Cost</b> _____
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