



KDB - PUBLIC INSPECTION AND COPYING OF DISTRICT RECORDS

Poudre School District appreciates the community's strong interest in participating in the governance of its schools. It is the policy of the District that all public records shall be open for inspection by any person within a reasonable time, except as provided in District policy or otherwise specifically provided by law. The District must make a good faith effort to respond to requests to inspect public records as authorized under the Colorado Open Records Act (CORA) while ensuring that other confidential, privileged, excepted, or exempted records are not disclosed.

Public inspection and copying of District records is governed by the terms and conditions in this policy. The District may develop such rules and administrative guidelines concerning the inspection and copying of its records as are reasonably necessary for the protection of its records and the prevention of unnecessary interference with the regular discharge of the duties of departments and employees responsible for its records.

The District's goals in responding to requests for records include:

- Maximizing public transparency while minimizing costs and burdens to the District;
- Responding to requests as thoroughly and quickly as possible; and
- Establishing universal guidelines and expectations for requesting and responding to requests for records.

Requests for Records

Before making a request for records under this policy, requestors should refer to the District's website to see if the information is posted publicly. Information relating to the District's financial records may be contained on the District's Financial Transparency and Budget pages. Information relating to District and Board policies are contained on the pages for District Policies and Board Policies. Requests for records relating to individual students or student records or employment records should be made to the Records Department.

All record inspection and copying requests must be sufficiently specific to allow the District to efficiently identify the desired records with reasonable certainty. In order to clarify and facilitate the processing of a request to inspect and/or obtain copies of its records, the District requires that the request be made in writing. Requests should be submitted electronically by completing the online submission form accessible from the District's website.

To get an accurate response, requestors should avoid vaguely worded inquiries. Requests should identify the types of documents to be gathered or searched, the employee(s) most likely to possess the records, and other information that will help the District locate and provide the correct records. Requests for emails should include:

- Subject matter, in most descriptive terms possible;
- Date range for the search; and
- Names or titles/positions of employees or email addresses.

A statement explaining the requestor's reason for making the request is helpful but not required. If requestors fail to meet these guidelines, the District may be unable to effectively respond to the request. If the request is not sufficiently specific, the District may seek clarification which will pause the timeline for responding.

The District is prohibited by law from disclosing certain confidential records. Additionally, some records are not subject to disclosure because they are privileged under the law. Records not subject to disclosure include, but are not limited to:

- Private, personally identifying information about students and their families
- District personnel records that relate to employees except that the following may be released:
 - Applications of past or current employees
 - Employment agreements
 - Any compensation including expense allowances and benefits
 - Any amount paid or benefit provided incident to termination of employment
- Proprietary information
- Specialized details of security arrangements or investigations
- Other records required by federal or state law and/or regulations or judicial decisions to remain confidential and/or not subject to disclosure

Response to Requests for Records

If the requested public record is in active use, in storage, or otherwise not readily available at the time of the request, the requestor shall be informed of that fact. The custodian of the record will then make the record available within a reasonable time of the person's request.

The District may determine the format (i.e., hard copy, electronic data provided on compact disk, via e-mail or via another medium) in which its records will be produced for inspection and in which copies shall be provided, unless otherwise required by law.

If the District denies a request for access to District records and the person requesting the records ask for a written statement of the grounds for denial, the District will provide a written statement to the person, citing the law or regulation under which the District denied access.

In order to limit the disruption of regular District operations, the time spent in responding to records requests may be limited to a specified number of hours per day or per week.

The District does not have a duty to create a record that does not exist. Additionally, the District has no obligation to manipulate electronic data to create one or more new records in response to requests from members of the public. If the District in its discretion chooses to take such action, it may charge a reasonable fee not to exceed the actual cost of manipulating the data and generating the record. Such action does not obligate the District to manipulate data to generate a record in future requests.

Inspection or Transmission of Records

District employees may be assigned to monitor the inspection of District records by members of the public, and an appointment may be required for such inspection to prevent unreasonable interference with regular District operations.

Under no circumstances shall records be removed from District premises by members of the public for inspection or copying. Copies shall be made only by District employees, agents or contractors.

Deadlines

The District is allowed three working days to respond to a request made under CORA. When responding to a request for public records under CORA, the District will make every effort to respond within three working days. If the District uses the extension permitted under CORA, the District has an additional seven working days to respond. If the nature of the request requires more time than set out in the statute, the District will notify the requestor of the need for additional time, and the District will make a good faith, reasonable effort to process the request as promptly as is feasible in light of the size and scope of the request, the workload of the other prior requests that the District has received and is processing, and the technical capacity of the District's IT systems to search for responsive records, if applicable.

In calculating the due date, the District applies the following conditions:

- If a request is received after 4:30 p.m., it is considered received the next working day.
- In calculating the time to respond, the day the request is received is not counted.
- Any day the District central office is closed is not counted as a working day.
- For broad, general requests, the timeframe for fulfilling a request may be paused while the District attempts to clarify or narrow the request.
- Any modification to a request will reset the response due date to three working days following the date the modification was received.

Fees and Charges

The District may charge a fee of \$33 per hour for all time spent in excess of one hour for:

- Research and retrieval of requested records;
- Conducting searches for requested records;
- Inspecting records to segregate those that are not responsive, those that are not public records and those that are confidential and/or privileged; and
- The production and/or copying of voluminous records.

The District will include an estimate of the costs associated with responding to a request for records in its initial response to the requestor if the response is estimated to take more than one hour. The District may, in its discretion, require the requestor to pay a deposit proportional to the anticipated cost of fulfilling the request. If the actual costs are less than the deposit, the District will refund to the requestor the difference between the actual costs and the deposit. If the actual costs exceed the amount of the deposit, the District will collect the balance owed by the requestor prior to delivering the responsive documents.

The District shall charge a fee not to exceed 25 cents per page for hard copies of District records in excess of 100 pages unless the actual copying cost exceeds that amount, in which case the actual cost shall be charged.

If a requested record is a result of computer output other than word processing, the fee for a copy shall be based on recovery of the District's actual costs of providing the electronic service and product, together with a reasonable portion of the costs associated with building and maintaining the information system.

Procedures for Multiple, Repeated or Duplicative Submissions

When there are duplicative CORA requests submitted – either by one individual or by multiple requestors – that require extensive amounts of staff time and would otherwise interfere with the completion of other duties of the District, the District must appropriately manage and delegate its staff time to ensure that the processing of such requests does not interfere with the other duties of the District.

At the District's discretion, multiple, repeated or duplicative submissions will be consolidated as permitted by this policy. Once consolidated, the statutorily prescribed fee will be charged for the staff time necessary to review and respond to the consolidated request. Additionally, the timeframe within which the District will respond to the consolidated request will depend on IT capabilities and available staff time to compile, review and respond to the requests.

Examples of requests to which this policy is applicable include but are not limited to:

- Multiple requests from the same requestor within the timespan of three working days
- Same or similar requests from the same requestor sent on a daily basis
- Same or similar requests from multiple requestors over a short timespan
- Multiple requests for the same or similar search terms sent as “per day” requests instead of consolidated into a specific timeframe

Abusive or Harassing Requests

In alignment with the State of Colorado Department of State’s CORA Policies and Procedures, while the District is required to make a reasonable, good faith effort to respond to CORA requests within the guidelines of the statute, the District is not required to respond to harassing or abusive communications.

Adopted by Board: April 1972

Revised by Board: December 1974

Revised by Board: December 1981

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LEGAL REF:

C.R.S. 22-9-109

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

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

20 U.S.C. 1232g

CROSS REFS:

ECAF, Video Surveillance

GBJ, Personnel Records and Files

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