



## **Public's Right to Know/Freedom of Information**

This policy 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 Colorado Early Colleges (CEC). CEC is committed to the guiding principles of openness, transparency, accountability, and responsiveness.

This policy is intended to balance the demands of the Colorado Open Records Act (CORA) and CEC's obligations as a public school within the State of Colorado.

### **Protocols for Requests**

Before making a request for records pursuant to this policy, requesters should refer to the school's website, [www.coloradoearlycolleges.org](http://www.coloradoearlycolleges.org), to determine if the information sought is posted and already publicly available. For more details about the type of information posted on CEC's website, or to view the posting schedule, please contact CEC's Executive Office Administrator.

### **Requests for Records**

CEC is required to produce records in response to qualifying requests made pursuant to CORA. CEC strives to be as transparent as possible; however, not all documents maintained by the school are available for public inspection. Some documents that contain privileged and confidential information must not be shared to protect the privacy of CEC, students, families, and employees in compliance with federal and state laws. All documents restricted from disclosure under law shall be prohibited from release.

For the fastest and most appropriate response, requesters should avoid vaguely worded inquiries. Each request must be as specific, clear, and narrow as possible. Requests should include:

Subject matter, in the most descriptive terms possible:

- Date range for search;
- Types of documents to be searched (emails, written documents, reports, etc.);
- Names of persons whom are believed to have created the records, possess the records, are the subject of the records, or transmitted the records;
- Any other information that will help the school provide the correct records; and
- Contact information of the requester.

If a request fails to meet these guidelines, CEC may be unable to fulfill the request. If more information is needed to process the request, CEC will make reasonable efforts to contact the requester at the contact information provided within the timeframe for responding to the request.

A statement explaining the requester's reason for making the request is helpful for CEC to target and fulfill the request but is not required. Requests to inspect public records must be made in writing to the Executive Office Administrator. Requests may be mailed or faxed to:

Executive Office Administrator  
Colorado Early Colleges  
4424 Innovation Dr.  
Fort Collins, CO 80524  
P: 970-344-0044 Fax: 970-377-1144

\*\*As a general matter, the school cannot guarantee that email requests will be received due to the school's spam filters and/or staff turnover resulting in inactive or incorrect email information. Thus, the school will neither accept nor respond to requests for public records that are submitted via email.

Requests to inspect public records may not be made by phone.

Sometimes, the requested records do not exist. CORA is not a record-retention statute, and the school is not obligated to create records that do not exist or maintain records outside relevant legal guidelines or school policy on records retention.

## **General Questions and Requests for Information**

Not all information constitutes a public record for purposes of a CORA request. General questions and requests for information that are not submitted in writing pursuant to this policy are not requests for "public records" as defined by the law. Therefore, the school is not required to respond to them according to CORA's specifications. Although it is not required, CEC may respond to all such questions and requests for information. CEC's request form appears at the end of this policy.

## **Responses to Requests**

Response times to records requests under CORA are:

- The normal time for production shall be three (3) working days, beginning on the first business day after the request is received.
- If CEC determines that extenuating circumstances exist, this period may be extended. This extension shall not normally exceed seven (7) working days. The requestor shall be notified of the extension within the three-day period.

Requests to inspect records will not take priority over the regular work activities of CEC's employees. Charges for copies of requested records shall be as follows:

- CEC may charge a research and retrieval fee based on the actual cost of responding to the request. As defined within Colorado Revised Statutes, there shall be no charge for the first hour of research and retrieval time. If the Executive Office Administrator charges research and retrieval fees under this paragraph, copying shall be charged at a rate of fifteen cents (\$.15) per page or the maximum allowed under statute.
- Payment, in full, must be received prior to the requestor receiving the requested documents.
- If charges are expected to exceed \$25, CEC will provide the requestor with an estimate of the cost prior to responding and may require a deposit if the costs are estimated to be more than \$200. If the

requestor wishes to proceed after receiving the estimate, he/she must respond in writing. By responding in writing, the requestor agrees to pay all fees associated with responding to the request. Payment of the deposit, if required, must be received before the requested copies will be produced. The time between the date of the estimate and the receipt by CEC of a written response to proceed, along with the required deposit, will not be counted against the time period set forth above for responding to the CORA request.

- 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 CEC representative, and the requestor may be charged for any employee's time exceeding one (1) hour associated with such inspection.

## **Manipulation of Records**

CEC may manipulate existing records to redact or exclude information not subject to disclosure or, at its sole discretion, create a new record in order to respond to a request. If the school is required to manipulate data to generate the record, the school may charge an hourly fee that applies in the same manner as the research or retrieval of records.

Generally, if a public record is stored in a digital format, it should be provided in that format to the requester, including any searchable or sortable functions, unless doing so would violate a copyright or licensing agreement; result in the release of a third party's proprietary information; or, it is not feasible to permanently remove any information that is excluded from the request without the use of additional software or programming. The actual costs of manipulating such data and generating such records will be assessed. This may include the hourly fee that applies to research and retrieval as well as any additional actual costs, such as a fee equal to the incremental costs of maintaining a computer database or running a computer program used to analyze or compile data into a single report.

For questions related to CORA requests and to make CORA requests, please contact:

Executive Office Administrator  
Colorado Early Colleges  
4424 Innovation Dr.  
Fort Collins, CO 80524  
P: 970-344-0044 Fax: 970-377-1144

### **Legal References:**

C.R.S. 22-9-109  
C.R.S. 22-32-109 (1)(c)  
C.R.S. 22-44-301, et seq.  
C.R.S. 24-72-201 et seq. (Colorado Open Records Act)  
5 U.S.C. § 552a, (The Privacy Act[Freedom of Information Act])

### **Policy Ref:**

JRC-O Rights Concerning Student Records

## Colorado Early Colleges

### Colorado Open Records Request (CORA)

[Your Name] [Street Address]

[City, State ZIP Code] [Date]

Executive Office Administrator  
Colorado Early Colleges  
4424 Innovation Dr.  
Fort Collins, CO 80524

Dear Executive Office Administrator:

Pursuant to the Colorado Open Records Act § 24-72-201 et seq., I request that you make available for inspection and copying the following public records:

[Describe the records or information with enough detail for CEC to respond, but word your request generally enough to encompass all records that may contain the information you seek.]

If you are not the custodian of records for this request, please forward this letter to the appropriate person or let me know which person(s) has custody of these records.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$25.

Please set a date and hour, within three working days following receipt of this letter, at which time the records will be made available for inspection, as required by § 24-72-203(2), C.R.S. If access to these records will take longer, please cite the extenuating circumstances and let me know when I should expect copies or have the ability to inspect the requested records.

[If you know that you want copies, add the following] I ask that records available in electronic format be transmitted by email to [Your Email Address]. If you deny any portion(s), or all, of this request, please provide me with a written explanation of the reason(s) for your denial, including a citation to each specific statutory exemption you feel justifies the refusal to release the information.

If you conclude that portions of the records that I request are exempt from disclosure, please release the remainder of such records for inspection and copying, redacting only the portion or portions that you claim are exempt.

Thank you for considering my request.

Sincerely, [Your Name]

[Your Phone  
Number]  
[Your Email  
Address]