



CORA REQUESTS POLICY

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 Colorado International Language Academy (CIL A). CIL A 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 and CIL A'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.cilaschool.org to see if the information sought is posted and already publicly available. If there are any questions regarding what type of information is posted on the CIL A's website, or the posting schedule, please contact Matt Johnston-Urey.

Requests for records:

CIL A is required to produce records in response to qualifying requests made pursuant to CORA. CIL A strives to be as transparent as possible; however, not all documents maintained by the school are available for public inspection. Some documents must be kept confidential to respect the privacy of students and families or otherwise comply with relevant laws.

For the fastest and best 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 who you believe created the records, are in possession of the records, are the subject of the records, or transmitted the records;
- Other information that will help the school provide the correct records; and
- Contact information of the requester.

A statement explaining the requester's reason for making the request is helpful for CILA to fulfill the request, but not required.

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

Requests to inspect public records must be in writing to the Custodian of Records. Requests may be mailed or faxed to:

Matt Johnston-Urey
540 Elkton Drive
Colorado Springs, CO 80907
Fax: 719-235-5951

****As a general matter, the school will neither accept nor respond to requests for public records that are submitted via email. The reason for this rule is that, due to the school's spam filters and staff turnover resulting in inactive or incorrect email information, the school cannot guarantee that such requests will be received. Requests to inspect public records may not be made by phone.**

Public records not subject to disclosure

The school is prohibited by law from disclosing certain confidential records. Additionally, some records are not subject to disclosure because they are privileged under the law.

Below are examples of records generally not subject to disclosure. For a full list of records not public, please see C.R.S. 24-72-202 – 204.

Records generally **not** subject to disclosure include, but are not limited to:

- Addresses and telephone numbers of students
 - Pursuant to FERPA, the school may not be permitted to release directory information
 - [Link to School's FERPA policy]
- Personnel files which includes home addresses, telephone numbers, financial information, and other information maintained because of the employer-employee relationship
 - Personnel files **may not** include applications of past or current employees, employment agreements, any amount paid or benefit provided incident to termination of employment, performance ratings, or any compensation, including expense allowances and benefits, paid to employees by the state, its agencies, institutions, or political subdivisions.

- **NOTE:** While some personnel files may be disclosed, the school must still redact personally identifying information like home addresses or social security numbers that may be included.
- Proprietary information including trade secrets and privileged information
- Specialized details of security procedures/arrangements or investigatory files compiled for any law enforcement purpose
- Certain medical, mental health, sociological, and scholastic achievement data, and electronic health records on individual persons
- Attorney-client privileged information
- Other records required by federal or state law and/or regulations or judicial decisions to remain confidential and/or not subject to disclosure

Sometimes the records requested 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 of relevant legal guidelines or school's policy on records retention.

General questions and requests for information

As described above, 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, the school may respond to all such questions and requests for information.

Responses to Requests

Time for response to records requests shall be as follows:

- The normal time for production shall be three (3) working days, beginning on the first business day after the request is received.
- Such period may be extended upon determination by the CILA 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.

Requests to inspect records will not take priority over the regular work activities of school's employees.

Charges for copies of requested records shall be as follows:

- The normal cost for requested documents shall be \$.25 per page or, for documents in non-standard formats, the actual duplication costs.
- The SCHOOL 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 \$41.37 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.

- Payment must be received prior to the requestor receiving copies.

If charges are expected to exceed \$25, CILA 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 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 school representative and the requestor may be charged for any employee time exceeding one hour associated with such inspection.

Manipulation of Records

The school 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 if it is not feasible to permanently remove any information that is excluded from the request without need for 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 please contact: Barbara Rutter
brutter@cilaschool.org
Address all CORA requests to: Matt Johnston-Urey 719-645-8063