

COLORADO OPEN RECORDS ACT (“CORA”) POLICY

I. Introduction

This policy applies to all requests, submitted pursuant to C.R.S. § 24-72-201 *et seq.*, the “Colorado Open Records Act” (“the Act” or “CORA”), to inspect public records in the custody or control of Rocky Mountain Preparatory Schools (“Rocky Mountain Prep”). Pursuant to the Act, all public records must be open for inspection by any person at reasonable times, except as provided by law.

This policy sets forth Rocky Mountain Prep’s official custodian’s rules for the inspection of such records, as provided in the Act, which rules are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the records custodian or the custodian’s office.

Rocky Mountain Prep 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 Rocky Mountain Prep’s obligations as a network of public schools within the State of Colorado.

II. Procedure for Requesting to Inspect Public Records

- A. The official custodian of Rocky Mountain Prep is listed on rockymountainprep.org under Accountability. All requests to inspect public records must be submitted in writing to the official custodian of Rocky Mountain Prep. Requests made to any person other than the proper custodian will not be accepted.
- B. All requests to inspect public records must be submitted in writing to the official custodian via mail or email. If mailed, the date the request is received by the custodian will constitute the “date of receipt.” Requests made via electronic mail will not be automatically accepted. Acknowledgment of receipt by the official custodian will trigger the deadlines under the Act.
 - a. Mail: Rocky Mountain Prep % CORA Custodian, 2480 W 26th Ave #360B, Denver, CO 80211
 - b. E-mail: CORA@rockymountainprep.org
- C. All requests for records must be specific as to the records sought and the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated, the custodian may require the requestor to provide a more specific request. The time between the date of the custodian’s request for specificity and the receipt by the custodian of a written response will not be counted against the time period set forth above.

- D. If a requestor is unable to identify the specific document(s) sought, the requestor is encouraged to contact the official custodian in advance of submitting a request for assistance in providing the requisite specificity.

Note: Rocky Mountain Prep is not required by the Act to construct or create a record that does not exist. Nor is Rocky Mountain Prep required to manipulate or analyze information in a new way to respond to a request. Additionally, requests to inspect records will not take priority over the regular work activities of Rocky Mountain Prep employees.

III. Turnaround Time & Format

The normal time for production shall be three (3) working days; beginning on the first business day after the request is received.

Such a period may be extended upon a determination by the official custodian that extenuating circumstances exist. Such period of extension shall not normally exceed seven (7) working days. The requester shall be notified of the extension within the three-day period.

Rocky Mountain Prep will provide the record in the format in which it is stored unless providing the records in the format in which they are stored would:

- Violate the copyright, the terms of a licensing agreement, or would result in the release of a third-party's proprietary information; or
- Not be practical to remove information that Rocky Mountain Prep is allowed or required to withhold.

IV. Fees for Documents Requested

Charges for copies of requested records shall be as follows:

- a. The normal cost for requested documents shall be \$.25 per page or, for documents in non-standard formats, the actual duplication costs.
- b. The custodian may charge a research and retrieval fee based on the actual cost of responding to the request; provided, however, that the maximum 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.
- c. Payment must be received prior to the requestor receiving copies.
- d. If charges are expected to exceed \$25, the custodian 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.

- e. If a requester wishes to inspect available records in advance of receiving copies, such inspection shall be by appointment only during normal working hours. A Rocky Mountain Prep representative must supervise such inspection and the requestor may be charged for any employee time exceeding one hour associated with such inspection.

V. Confidential Information

There are several categories of information that are protected by State and Federal law. These categories of information will not be disclosed. Any redactions or removal of information that Rocky Mountain Prep is required or allowed to withhold, pursuant to the Act, may not be done without prior approval from the official custodian and the advice of counsel if needed.

Colorado's Student Data Transparency and Security Act, as well as the federal Family Educational Rights and Privacy Act ("FERPA"), protect the confidentiality of personally identifiable information maintained in education records, including direct and indirect identifiers, or other information that can be used to distinguish or trace an individual's identity, either directly or indirectly. Rocky Mountain Prep will mask the data to the extent necessary.

Rocky Mountain Prep may deny a request for any of the reasons outlined in C.R.S. § 24-72-204.