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Crown Pointe Academy of Westminster (“Academy”) is committed to transparency and open government. The following policy specifies how the Colorado Open Records Act (“CORA”) (§ 24-72-201 to 206, C.R.S.) will be applied in a uniform and reliable manner. This policy will help ensure the Academy complies in all respects with CORA and meets all constitutional and statutory duties to the people of Colorado in an orderly and expeditious manner. This policy is not intended to be duplicative of CORA or supersede state law.

This policy applies solely to records requests where the Academy maintains custody of public records pursuant to CORA. Other agencies may have different CORA policies.

### **Procedure for handling records requests**

All records requests made of the Academy by mail, fax, courier, e-mail or other means shall be immediately provided to the School Custodian of Records, who may refer it to legal counsel. The Custodian of Records will be designated, from time to time, by the School Director. All records that may be responsive to specific requests for information must be provided to the Custodian of Records as soon as possible. The Custodian of Records will respond to all CORA requests except in extraordinary circumstances.

The Academy will only accept records requests made in writing or electronically via e-mail or fax. Records requests or requestors that cite the federal Freedom of Information Act will be treated as though they were made pursuant to the Colorado Open Records Act.

When responding to a records request, the Academy shall make every effort to respond within three working days as required by § 24-72-203(3)(b), C.R.S. The Academy can issue up to a seven-working-day extension if it finds extenuating circumstances exist, as described in § 24-72-203(3)(b), C.R.S. A request is received by the School the day an e-mail, fax or letter containing a request is opened. The three working-day response time begins the first working day following receipt of the request. A request received after 4 p.m. or any day the School is officially closed will be considered received as of the following working day.

No employee of the Academy may modify, redact or omit any records they are required to provide to the Custodian of Records. Decisions about the applicability of CORA to particular writings will be made by the Custodian of Records with assistance, if needed, from legal counsel. Academy staff should never assume a document is exempt from CORA and should always consult the Custodian of Records or legal counsel before making a final determination.

The Academy will not create new documents, narrative explanations, or respond under CORA other than to produce existing records. The Custodian of Records or legal counsel will prepare, if needed, redacted copies that remove information on which CORA either forbids disclosure or permits the School to decline to disclose certain information. Privileges of the School will not be waived by the Custodian of Records or legal counsel, but may be referred to the Board. Upon request the Custodian of Records will support any redaction with a log reflecting the reasons for redaction.

When feasible, the Academy will endeavor to provide electronic copies or files to requestors if such alternative is significantly less burdensome. The Custodian of Records may grant exceptions where the Academy, requestors or the records produced require special consideration.

### **Fees for document retrieval, review, copies and release of records**

When a request requires the production of more than 25 pages of documents or the use of more than one hour of staff time to locate or produce records — with the exceptions noted below, the Academy will charge the requestor for all copying expenses and reasonable, actual costs associated with staff time in accordance with § 24-72-205(5)(a) & (6)(a), C.R.S. and applicable law.

- The Academy will not charge for providing a parent with one copy of a student’s cum file, discipline file, special education file or other core “educational records,” if any.
- The Academy will not charge parents or students for duplicate transcripts.
- For all other records, the Academy will keep a record of staff and/or contractor time for researching, retrieving, reviewing and producing records for a requestor. After one of hour of such time, the School will charge a fee of \$30 per hour and may charge \$0.25 per page for hard copies.
- Any costs charged to a requestor shall not exceed the actual cost of producing the records.

For requests where the Academy anticipates more than one hour of staff time will be consumed, the Academy will provide a requestor with advance notice and an estimate of compliance costs. Such costs must be paid in full before the work to produce records is undertaken or completed, unless alternative arrangements have been made through the Custodian of Records.

### **The format of records produced**

The Colorado Open Records Act guarantees that all public records must be open for inspection by any person at reasonable times, except as provided in CORA or as otherwise specifically provided by law (§ 24-72-201, C.R.S.). CORA does not guarantee access to public records in a specific format. When the production or inspection and review of records in a specific format would interfere with the regular discharge of duties of Academy employees (§ 24-72-203(1)(a), C.R.S.) or otherwise levy an undue burden upon the Academy, the Custodian of Records will determine the appropriate format for the records to be produced. Records maintained electronically may be produced electronically at the Academy’s discretion; this may or may not mean records are provided in their native format.

The Academy may require that members of the public or press only be allowed to review copies of documents when the Custodian of Records determines that allowing access to originals could interfere with the regular discharge of duties of the Academy or its staff or production of original records could jeopardize the condition of the records.

This Policy will be posted on the Academy’s website in a form accessible to the public.

**Adopted:**

**Reviewed:**

**Revised:**

**Rationale:** C.R.S. § 24-72-201 to 206 Compliant after join CSI