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## **APS 2022 - Colorado Open Records Act (CORA)**

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### **Policy Profile**

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| <b>Policy Title:</b>                   | Colorado Open Records Act (CORA)  |
| <b>APS Number:</b>                     | 2022  |
| <b>Effective:</b>                      | July 1, 2014  |
| <b>Approved by:</b>                    | President Bruce D. Benson   |
| <b>Responsible University Officer:</b> | Vice President for University Relations   |
| <b>Responsible Office:</b>             | University Relations  |
| <b>Policy Contact:</b>                 | Vice President for University Relations   |
| <b>Supersedes:</b>                     | Colorado Open Records Act (CORA), July 1, 2013  |
| <b>Last Reviewed/Updated:</b>          | July 1, 2014  |
| <b>Applies to:</b>                     | 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 the University of Colorado. |

### **Policy Snapshot**

**Brief Description:** This policy sets forth rules for the inspection of public records in the custody or control of the University of Colorado.

**Reason for Policy:** Sets forth University requirements for inspection of public records in accordance with the Colorado Open Records Act.

### **I. Introduction**

Pursuant to C.R.S. § 24-72-201 *et seq.*, the "Colorado Open Records Act" (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 the official custodians' (for the Board of Regents, CU system administration, or CU campuses) 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 custodian or the custodian's office.

## II. Policy Statement

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 the University of Colorado. The university is committed to the guiding principles of openness, transparency, accountability and responsiveness.

- A. Requirements for requesting to inspect public records for the University of Colorado.
  1. All requests to inspect public records must be submitted in writing to the official custodian of the relevant campus or of system administration/Board of Regents designated in Appendix B. Requests made to any person other than the proper custodian will not be accepted.
  2. Requests may be mailed or sent via facsimile. The date the request is received by the custodian will constitute the "date of receipt". **Requests made via electronic mail will not automatically be accepted.** The **custodian, at the custodian's sole prerogative**, may accept requests sent via e-mail upon request. Should the custodian accept an email request, the statutory time for response will begin when the custodian provides confirmation to requestor. If a request is sent via e-mail to anyone other than the custodian, it will not be considered as received by the university
  3. 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.
  4. If a requestor is unable to identify the specific document(s) sought, the requestor is encouraged to contact the relevant custodian in advance of submitting a request for assistance in providing the requisite specificity.
  5. There are several categories of information that are protected by State and Federal law. See Appendix A for a list of examples of information that the university is prohibited from releasing.
  6. The university is not required by the Act to construct or create a record that does not exist. Nor is the university required to manipulate or analyze information in a new way in order to respond to a request.
  7. Time for response to records requests shall be as follows:
    - a. The normal time for production shall be three (3) working days; beginning on the first business day after the request is received.
    - b. Such period may be extended upon determination by the custodian 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.

8. Requests to inspect records will not take priority over the regular work activities of university employees.
9. 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. At the custodian's prerogative, the custodian 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 thirty dollars 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.
10. 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.
11. 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 university representative and the requestor may be charged for any employee time exceeding one hour associated with such inspection.

### **III. Related Policies, Procedures, Forms, Guidelines and Other Resources**

#### **A. Procedures**

[Procedures for Requesting Access to Public Records at the University of Colorado](#)

#### **B. Forms**

[Public Records Request Form](#)

#### **C. Other Resources (i.e. training, secondary contact information)**

[Appendix A: Information Not Public by Law](#)

[Appendix B: Procedure to Submit a Formal Request](#)

### **IV. History**

- New policy established 7/1/13
- Revised July 1, 2014

### **V. Key Words**

Colorado, open, records, act, CORA, inspection, public, records, custody, control, official,

custodian, 24-72-201, retention, access, informal, formal, request, documents, copies, fees, costs, retrieval, reporters, media

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