

POLICY ADDRESSING REQUESTS FOR PUBLIC RECORDS AND ASSESSING CHARGES FOR THE PRODUCTION OF PUBLIC RECORDS

As a Colorado governmental entity, Odyssey School of Denver (“School”) is required to comply with the Colorado Public (Open) Records Act, C.R.S. § 24-72-205 (“Open Records Act”). This policy is not intended to be duplicative of the Open Records Act or to supersede state or federal law.

Requesting Public Records

For purposes of this policy, the term “public records” shall have the same meaning as set forth in the Open Records Act. All requests for public records shall be in writing, and submitted to the School’s Public Information Officer.¹ All written requests shall comply with the requirements of the Open Records Act and any other applicable federal or state law. The School will comply with the requirements of the Open Records Act and any other applicable federal or state laws, with respect to whether it must, may, or cannot produce public records, or other documents or information requested, and the fees it charges for producing such public records, or other documents or information. The School has no duty to create a public record that does not already exist.

The School will consider a request received the day it receives and opens the written correspondence. The three working-day response time required by the Open Records Act shall begin on the first working day following receipt of the request. The School reserves the right to issue a seven-working day extension where extenuating circumstances exist.

School’s Right to Charge Fees

Where the fee for a certified copy or other copy, printout, or photograph of a public record is specifically prescribed by law, the specific fee shall be charged. If a fee is not specifically prescribed by law, the School will furnish copies, printouts, or photographs of a public record for a fee of \$0.25 per standard page. The School shall charge a fee not to exceed the actual cost of providing a copy, photograph, or printout in a form other than a standard page. The School shall charge the actual costs it incurs in having the copies made off-site by an outside copying facility.

If, in response to a specific request, the School’s custodian of records performs a manipulation of data so as to generate a record in a form not used by the School (including a privilege log), an administrative fee of \$30.00 per hour shall be charged to the person or entity making the request. An individual or entity making a subsequent request for the same or similar records shall be charged the same fee.

¹ The School’s Public Information Officer is its Director of Operations.

If the amount of time required by the School to research and retrieve the documents necessary to fulfill a specific request exceeds 1 hour, including the time required to identify and segregate records that must or may not be produced, the person or entity making the request shall be charged a research and retrieval fee of \$30.00 per hour. The School will not impose a charge for the first hour of time expended in connection with the research and retrieval of public records.

In the event the School anticipates producing more than 25 pages or utilizing more than one hour of staff time to fulfill a request, the School will provide the requestor with advance notice and an estimate of the fees associated with the request. Absent an alternative written arrangement, the fees must be paid in full before the School will produce the requested public records.

Transmission of Public Records

Upon request for transmission of the public record, the School will transmit the public record by United States mail, other delivery service, facsimile, or electronic mail. If transmitting the public record pursuant to this paragraph, the School may notify the record requester that a copy of the public record is available, but will be sent only when the School receives payment or makes satisfactory arrangements for payment of all costs associated with transmitting the public record and for all other fees lawfully allowed; provided, however, that no transmission fees will be charged for transmitting the public record via electronic mail. The School will transmit the public record within three working days following its receipt of, or making satisfactory arrangements to receive, such payment.