



COLORADO EDUCATIONAL AND CULTURAL FACILITIES AUTHORITY

CORA POLICY AND PROCEDURES

August 2022

Introduction

The Colorado Educational and Cultural Facilities Authority (CECFA), as a political subdivision of the State of Colorado, is subject to the provisions of the Colorado Open Records Act, Colo. Rev. Stat. § 24-72-200.1, *et seq.* (CORA). CORA requires all public records be open for inspection by any person at reasonable times, except as provided by law.

Policy Objectives

This policy has been developed to implement CORA requirements at CECFA. The policy applies to all CORA requests submitted to inspect public records and writings in the custody or control of CECFA. It is the intention of CECFA to apply CORA in a uniform and transparent manner to comply with its provisions.

Official Custodian

The Executive Director of CECFA is the “official custodian” of its public records for purposes of developing and implementing rules and procedures for inspection of public records, as well as supervising the maintenance, care and keeping of CECFA’s public records.

Procedures for CORA Requests

1. Public Records Defined. Generally, the term “public records” means and includes all writings made, maintained, or kept by CECFA. The term “writings” means and includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical or electronic form or characteristics, including emails and other digitally stored data, but not computer software. Exceptions to the definition of public records are found in Section 24-72-202(6)(b), C.R.S.
2. Inspection Guidelines. CECFA must allow inspection of its public records by any person at reasonable times, except as otherwise provided by law. Grounds for denial of an inspection request can be found in CORA, Section 24-72-204, C.R.S., and include but are not limited to cases



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where certain CECFA records are privileged or otherwise confidential and protected from disclosure pursuant to law or court order. The official custodian may, under CORA, enact additional rules for inspection which are reasonably necessary for the protection of records and to prevent unnecessary interference with the regular duties of CECFA.

3. Request for Inspection. CECFA will accept only records requests made electronically via email or in writing. Requests made verbally or through social media are not accepted. CECFA's contact information for purposes of CORA requests is:

- Via Electronic Submission (preferred method):

Requests can be submitted via the form available at:

<https://www.cecfa.org/contact-us/>

- Via Written Request (if necessary):

Colorado Educational and Cultural Facilities Authority
1800 Glenarm Place
Suite 1201
Denver, Colorado 80202
Attn: Executive Director

4. Timeline for Requests. As required by CORA, CECFA will make reasonable efforts to respond to requests within three (3) working days of actual receipt. If extenuating circumstances exist, that period may be extended no more than seven (7) working days. Extenuating circumstances are described in Sections 24-72-203(b)(I-III), C.R.S.

- A request will be considered received the day the official custodian actually receives an email, fax, or letter containing the request. The statutory three (3) working day period will begin on the later of (i) the date that the official custodian provides confirmation to the requestor, or (ii) receipt of the applicable fee from the requestor, as described below.
- Any request received after 5:00 PM or, on a day that CECFA offices are closed, will be considered received upon actual receipt by the official custodian during the next business day.
- CECFA may contact the requestor to clarify or narrow a request. Requestors are encouraged to be specific in records being sought so CECFA may effectively fulfill the request.

5. Format for Public Records Produced. If a public record is stored in a digital format (sortable, searchable, or otherwise), CECFA will, if requested, perform a modification of data to present it in a different format to the extent reasonably feasible, subject to payment of the cost of generating the record as requested and any exceptions under CORA. If CECFA is not able to



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comply with a request to produce a public record in a requested format, CECFA will produce the record in an alternate format or issue a denial and provide a written statement attesting to the reasons the record cannot be produced in the requested format.

Fees and Charges

The official custodian will charge a research and retrieval fee based on the actual time and actual cost of fulfilling the request. Fees will be assessed by CECFA as follows:

1. There will be no charge for the first hour of research and retrieval, but an hourly fee (currently \$33.58*) will be assessed for each additional hour pursuant to Section 24-72-205(6), C.R.S.
2. If research and retrieval is expected to exceed the complimentary hour, the official custodian will provide the requestor with an estimate of the total cost. If the requestor wishes to continue, they must respond in writing, and pay the estimated cost in full as a deposit before CECFA will begin work to fulfill the request. If the actual time spent exceeds the estimate, CECFA may request additional payment. If the actual time is less than the original estimate a partial refund will be issued by CECFA.
3. The three (3) day statutory period referenced above will begin once full payment is received.
4. If a copy, printout, or photograph of the record is requested, the official custodian will charge a fee of \$0.25 per page or, for documents in non-standard formats, the actual duplication costs. If a fee for a certified copy is required, the specific fee applies.
5. For Electronic copies of records that can be made available without printing or scanning, no charge will be imposed other than the hourly research and retrieval fee.

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* Such hourly fee is subject to adjustment every five years pursuant to Section 24-72-205(6)(a), C.R.S., and the maximum fee may be increased to the adjusted amount published on the website of the General Assembly at the time of the applicable CORA request.