



## Open Records Policy

The Colorado Open Records Act allows interested individuals to request and receive records from the East Morgan County Library District.

Some information, by statute, cannot be provided. That includes but is not limited to:

- Patron records and borrowing information
- Personnel information
- Attorney client privileged information

### **Procedure for making and responding to requests under the Colorado Open Records Act (CORA)**

These procedures apply 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 East Morgan County Library District. Those requests must be submitted in accordance with the policy of the East Morgan County Library District.

All requests to inspect public records must be submitted in writing to the official custodian. Requests made to any person other than the proper custodian will not be accepted.

Requests may be mailed or sent via fax. Requests made via electronic mail (email) will not automatically be accepted. The Director, at the Director's sole prerogative, may accept requests sent via email upon request. If a request is sent via email to anyone other than the Director, it will not be considered as received by the District and the statutory time for response to the requests will not begin until a confirmation has been sent by the Director. The reason for this rule is, due to spam filters and inactive or incorrect email accounts, the District cannot guarantee that the Director has received an email request.

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 Director may require the requestor to provide a more specific request.

If a requestor is unable to identify the specific documents sought, the requestor is encouraged to contact the District at 970-842-4596 in advance of submitting a request for assistance in providing the requisite specificity.

The Director is not required by the Open Records Act to construct or create a record that does not exist.

For digital records, if a public record is stored in a sortable or searchable digital format, the Director will provide the digital record in such a format. If the Director cannot produce the record in either a sortable or searchable format, the Director will notify the requestor.



Time for response to records requests shall be as follows:

- The normal time for production shall be three working days, beginning on the first business day after the request is received.
- This period may be extended upon determination by the Director that extenuating circumstances exist. Such period of extension shall not normally exceed seven working days. The requestor shall be notified of the extension within the three-day period.
- Time periods will be calculated without including the date on which the Director receives the request.

Requests to inspect records and/or documents will not take priority over the regular work activities of the East Morgan County Library District employees.

Charges for copies of requested records shall be as follows:

- The normal cost for requested documents shall be \$.25 per standard page or, for documents in non-standard formats, the actual duplication costs.
- At the Director's prerogative, in lieu of the fee listed above, the requestor may be charged a reasonable retrieval fee based on the actual cost of responding, including employee time, or gathering, preparing, and copying requested documents.
- A fee can be imposed for the research and retrieval of public records with the first hour free and each hour after \$33.58 per hour. C.R.S. 24-72-205(6)(a)
- If records are readily available, the Board of Trustees or the Library Director, may waive the charge or may charge a lesser amount per page for copies.

If charges are expected to exceed \$.25, or if a retrieval fee based on the actual cost of responding is to be charged, the Director 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 upon 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 request to proceed will not be counted against the time period set forth above.

If the requestor wishes to inspect available records in advance of receiving copies, such inspection shall be by appointment only during ordinary working hours. Such inspection must be supervised by an East Morgan County Library District representative and the requestor may be charged for employee time associated with such inspection.

The East Morgan County Library District Public Records Request form may be obtained by contacting the Library Director at 500 Clayton Street, Brush CO 80723, or by phone at 970-842-4596. You may also obtain this form by email at [director@emcld.org](mailto:director@emcld.org). This form shall be completed and returned as indicated and will then be forwarded to the custodian of such records requested.

**Approved: September 2020**

**Revised: September 2022**



### Colorado Open Record Act (CORA) Request Form

Date: \_\_\_\_\_ Time: \_\_\_\_\_ a.m. / p.m.  
Name: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Name of document(s) requested:

\_\_\_\_\_  
\_\_\_\_\_

If the document name is unknown, provide brief, but specific description of the document or information requested (note of issuance and location of document, if known):

\_\_\_\_\_  
\_\_\_\_\_

If the records are readily available pursuant to C.R.S. 24-72-200.1, *et seq.*, the records shall be produced within 3 working days (date of request is not included in calculating the response date). If extenuating circumstances exist so that the Director cannot reasonably gather the records within the 3-day period, the Director may extend the period by up to 7 additional working days. The requestor shall be notified of the extension within the 3-day period. Records shall be viewed at 500 Clayton Street, Brush, Colorado, on regular business days by appointment. After inspection, photocopies may be requested for \$.25 per standard page. Charges must be paid for at the time of the request before photocopies are made, and must be picked up in person.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### For Official Use Only

LIBRARY DIRECTOR

Research time fee: 1st hour free, every hour after \$33.58 per hour (C.R.S. 24-72-205(6))

Time spent by staff in assembling the records request: \_\_\_\_\_

Cost of research and assembly of request: \$ \_\_\_\_\_

Research records received by:

Director: \_\_\_\_\_ Date: \_\_\_\_\_

Request forwarded to: \_\_\_\_\_

Request completed: \_\_\_\_\_

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