



**Policy Number 3.4.3**

**Chapter: Administration**

**Title: Requests for Public Records**

**Division/Department: Administration/Legal Affairs**

**Policy Administrator: General Counsel**

**Adoption Date: October 27, 2021**

**Revision Dates: May 15, 2024**

## **1. PURPOSE**

This policy sets forth rules for the inspection of the Auraria Higher Education Center's (AHEC's) public records. These rules are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular duties of the Center's employees or the Custodian of Records ("Custodian").

## **2. DEFINITIONS**

- 2.1. Colorado Open Records Act (CORA): The statutes codified in C.R.S. § 24-72-200.1, et seq.
- 2.2. Criminal Justice Records: All books, papers, cards, photographs, tapes, recordings, or other documentary materials, regardless of form or characteristics, that are made, maintained, or kept by any criminal justice agency, including the Auraria Campus Police Department, for use in the exercise of functions required or authorized by law or administrative rule. Examples of Criminal Justice Records include accident or incident reports.
- 2.3. Custodian: The AHEC Custodians of Records are designated as follows:
  - 2.3.1. Custodian of all Records other than Criminal Justice Records:

General Counsel  
Auraria Higher Education Center  
900 Auraria Parkway, Tivoli 325  
Denver, CO 80204  
303-556-2303  
Email: [custodianofrecord@ahec.edu](mailto:custodianofrecord@ahec.edu)
  - 2.3.2. Custodian of all Criminal Justice Records:

Chief of Police  
Auraria Campus Police Department  
Administration Building | 1201 5th Street, Suite 110  
Campus Box E, PO Box 173361  
Denver, CO 80217  
303-556-5000  
<https://www.ahec.edu/services-departments/police/records-requests>

- 2.4. Public Record: A record made, maintained, or kept by AHEC that meets the definition of “public records” in C.R.S. § 24-72-202(6).

### **3. POLICY**

- 3.1. AHEC is a public entity governed by the Colorado Public (Open) Records Act (CORA), C.R.S. Title 24, Article 72. As such, most AHEC Records are subject to disclosure when the requirements of the statute for requesting records are met. However, various provisions of Article 72 protect some Records from disclosure. In order to assure that all Records requests are handled appropriately, and within the very short time limits for disclosure, all AHEC departments and employees must:
- 3.1.1. Immediately upon receiving a request for Records from any person or entity external to AHEC, forward the request to the Legal Department.
  - 3.1.2. Determine whether the Records described in the request exist, and, if so, in what format.
  - 3.1.3. Not destroy or alter such records until the request has been handled (although normal business activities that add to or change the Records may continue).
  - 3.1.4. Not respond to the request for disclosure of the Records before consulting with the Legal Department.
- 3.2. Requests to inspect records:
- 3.2.1. All requests for inspection and copying of Public Records must be submitted in writing and must be physically mailed or hand-delivered to the Custodian of such records as indicated above. Requests must include the requester’s mailing address and/or e-mail address (if any) if the request is to provide the records, not just to allow their inspection onsite.
  - 3.2.2. Requests sent via e-mail shall not be deemed received unless and until the Custodian expressly conveys receipt of the request. Due to spam filters and other computer software characteristics, AHEC cannot guarantee that an e-mail request has been received by the Custodian. The date the written

request is received by the Custodian will be considered the “date of receipt” for purposes of determining the date for a response.

- 3.2.3. Requests for Criminal Justice Records should be made directly to the Auraria Campus Police Department using the online [Records Request Form](#).
  - 3.2.4. 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 before responding.
- 3.3. Time for response to CORA requests that comply with this policy shall be as follows:
- 3.3.1. The normal time for production or in which to make the Record available for inspection shall be three working days, beginning on the first business day after the request is received by the Custodian.
  - 3.3.2. Such periods may be extended upon determination by the Custodian that extenuating circumstances exist. Extenuating circumstances may include, but are not limited to:
    - The Records not readily available for inspection at the time requested;
    - The request is so broadly stated that it encompasses all or substantially all of a large category of records and is without sufficient specificity to allow the Custodian reasonably to prepare or gather the records within the three-day period; or
    - The request involves such a large volume of records that the Custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the Custodian’s obligation to perform their other public service responsibilities.
  - 3.3.3. Such period of extension shall not exceed seven working days. The requestor shall be notified of the extension within the original three-day period.
  - 3.3.4. These time periods for responding to requests shall not apply to (i) requests that do not comply with this policy, (ii) requests that are too broad or burdensome such that they interfere with regular work duties, or (iii) requests for which the appropriate charges have not been paid.

- 3.4. Charges for copies of requested Records shall be as follows:
- 3.4.1. The cost for requested documents shall be \$.25 per page or, for documents in non-standard formats, the actual duplication costs. No per-page fee will be charged for Records provided in a digital format. However, where the record is a result of computer output other than word processing, the requestor will be charged \$30 per hour.
  - 3.4.2. At the Custodian's prerogative, the requester may be charged a reasonable research, retrieval, and review fee based on the actual cost of responding to the request; there shall be no charge for the first hour of employee time and additional employee time will be at the rate of \$30 per hour.
  - 3.4.3. While not required, the Custodian may, at the Custodian's sole discretion, choose to handle or analyze information in a new way in order to respond to a request. Where the record is a result of such manipulation or analysis, the requestor will be charged, unless waived or reduced by the Custodian, the actual costs of creating the record.
  - 3.4.4. Unless waived by the Custodian, the requester will be charged the cost of transmitting the records to the requester by United States mail or other delivery service.

**4. APPROVAL AND ADOPTION**

This Policy has been reviewed and approved by the Board of Directors for the Auraria Higher Education Center.

Date: May 15, 2024

Approved by: Tracy Huggins  
Chairperson of the Auraria Board