

Q: What is an “open record” and why might it be important to me as a student journalist?

A: By their nature, student journalists should be curious individuals who ask critical questions about the world around them. As the questions become increasingly difficult, controversial, and revealing, students may find that their access to some content appears to be private and unavailable. This, fortunately, is not always the case. While some information such as personal health information and employee evaluations may, in fact, be private, the Colorado Open Records Act (CORA) makes a substantial amount of information available to anyone who makes a request – including high school students. Such records allow student journalists to be engaged citizens who can serve as “watchdogs” for their students while allowing all citizens to see into the operations of the government and how taxpayer dollars are being spent.

Q: What kinds of content can be requested?

A: The following are examples of the types of content students may be interested in accessing.

- Cafeteria and food inspection records
- Safety inspection records for school buses and/or facilities
- Building inspection records
- School budget reports
- School accreditation records
- Academic performance reports
- Reports on crime statistics on school grounds

Q: What kinds of content might be unavailable?

A: The following are example of the types of content student may be unable to access because the content would be considered private for individuals.

- Records that identify individuals by name (personnel records, education/medical records, disciplinary reports, bus driver background checks)

*Such records may be made available, but with redactions.

Q: How do I make an open records request?

A: The first step in acquiring a document you believe may be an open record is to ask. Many government agencies and school districts understand the Colorado Open Records Act and will be willing to comply. If you would like to formalize your request or if your request was inappropriately denied, you should use this “public records letter generator” available at splc.org/lettergenerator/ to guide you through the process of generating a letter. An example of a completed letter is included on the next page. Finally, if your open records request is for content through DCSD, use this link:

www.dcsdk12.org/about/our_district/departments/legal_counsel/open_records_requests_cora

Q: What do I do if I am denied?

A: If you believe your request has been improperly denied, you should contact the record keeper and cite the law, making sure to ask for clarification. Do your best to work things about informally and without resorting to legal threats. Occasionally, you may need to contact the record keeper’s supervisor to ask for additional clarification. If this doesn’t work, you may file an administrative appeal. If all else fails, you should contact the Student Press Law Center for assistance.

Below is a sample of an open records request letter:

Nov 29 2018

Ioana Marin

901 Prairie Hawk Drive

Castle Rock, Colorado 80109

Dear Mrs. Ioana Marin,

Pursuant to the state open records law Colo. Rev. Stat. Secs. 24-72-101 to 24-72-402, I write to request access to and a copy of I would like to access the annual budget for Castle View High School. Specifically, I would like to access the budget(s) for each of the athletic teams at the school to include as much detail as possible, including apparel, equipment, coaching stipends and transportation. If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address.

I agree to pay any reasonable copying and postage fees of not more than \$30. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided by the open records law, I will expect your response with three (3) business days.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

I would note that willful violation of the open records law can result in a fine of up to \$100, or by imprisonment in the county jail for up to ninety (90) days, or both. See Colo. Rev. Stat. Secs. 24-72-206 and 24-72-309.

Thank you for your assistance.

Sincerely,

Jessica Marie Hunziker

5254 North Meadows Drive Castle Rock, Colorado 80109

(303)387-9000