



Indian Hills Fire Protection District

Colorado Open Records Act (CORA) Policy on Responding to Open Records Requests

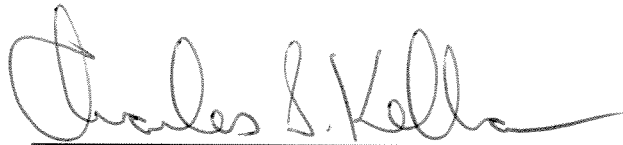
1. **General:** It is the policy of the Indian Hills Fire Protection District ('District') that all public records shall be open for inspection by any person at reasonable times, except as provided by law. Public records are defined by CORA as all writings made or maintained by the District, regardless of the format or medium of the records, subject to certain exceptions. Public records expressly include email communications. The District maintains an archive of all email messages for emergency backup purposes only; such archived email communications are not individually retrievable and are specifically not intended to create a public record.
2. **Authority:** As a quasi-municipal corporation and political subdivision of the State of Colorado and duly organized and existing special district pursuant to Title 32, the IHFPD Board of Directors (BOD) fully supports and complies with all Federal and State laws relating to the retention, protection, and disclosure of the District's records, including but not limited to, the Colorado Open Records Act, Title 24, Article 72, Par 2, C.R. S. the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), and the privacy Rule promulgated by the U.S. Department of Health and Human Services which interprets and implement HIPPA.
3. **District Custodian of Records:** By action of the District Board of Directors, the District Office Manager is hereby designated as the official Custodian of Records responsible for the maintenance, care and keeping of all records of the District. The official Custodian of Records shall have authority to designate such agents as he/she shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this policy.
4. **General Policies Concerning the Release of Records:**
 - a. **Section 1:** Requests by any person, entity, Federal or State agency, subpoena, Administrative or Court Order, or other legal process, to inspect and/or copy any District record (collectively referred to as a "Records Request") shall be considered received by the Custodian of Records when submitted in approved format (see page 4) and is accompanied by a deposit in an amount to be determined by the Custodian of Records.

- b. Section 2: If any question arises as to the propriety of fully complying with a Records Request, the Custodian of Records shall immediately forward it to the District's legal counsel. The District's legal counsel shall determine the District's obligations under the applicable Federal and/or State law(s). If the District is permitted to comply with the Records request in whole or in part, the District's legal counsel will so notify the Districts' Custodian of Records, who will assemble the disclosable requested documents for inspection and/or copying in accordance with applicable Federal or State law(s).
- c. Section 3: If the District's legal counsel determines that the District is not permitted by Federal or State law(s) to comply with the Records Request in whole or in part, legal counsel shall provide a written response to the party submitting the Records Request stating the legal basis upon which the Records Request in whole or in part is being denied.
- d. Section 4: The Custodian of Records may set the time during normal office hours and the place for records to be inspected and require that the Custodian of Records or a delegated employee be present while the records are examined. Pursuant to CORA, all records must be made available for inspection with three (3) working days from the date of receipt, unless extenuating circumstances exist. The deadline may be extended by seven (7) working days if extenuating circumstances exist and the requesting party is notified of the extension within the statutory period.
- e. Section 5: A person or other approved entity granted the right to inspect District records will also be furnished copies requested at a cost not to exceed \$.25 per page in standard size and format. The charge for providing a copy, printout or photograph of a public record in a format other than a standard page will be assessed at the actual cost of production. Additionally, in those cases where the location or existence of specific documents must be researched and the documents must be retrieved, sorted or reviewed for applicability to the request, and such process requires one or more hours of staff time, the District may charge a research and retrieval fee not to exceed \$30 per hour, and no charge shall be made for the first hour of time expended in connection with the research and retrieval of public records. Any fee charged for the research and retrieval will be the same for all requesting parties, whether the person requesting the records is an individual, a representative of the media, a public or private entity, or a for-profit or nonprofit entity.
- f. Section 6: Upon request for records transmission by a person seeking a copy of any public record, the Custodian will transmit a copy of the record by U.S. Mail, other delivery service, facsimile, or electronic mail. No transmission fees will be charged to the records requester for transmitting public records via electronic mail. Within three days of receiving the request, the custodian will notify the record requestor that a copy of the record is available, but will only be sent to the requestor once the custodian has received full payment for all costs associated with records transmission and for all other fees lawfully

allowed, unless recovery of all or any portion of such costs or fees is fully covered by the deposit amount that accompanied the form request.

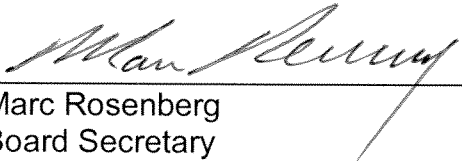
- g. Section 7: When practical, the copy, printout, or photograph of the requested record will be made in the place where the record is kept, but if it is impractical to do so, the Custodian of Records may allow arrangements to be made for the copy, printout, or photograph to be made at other facilities. If other facilities are necessary, the cost of providing request records will be paid by the person making the request.
- h. Section 8: This policy shall supersede any previous policy related to records requests.

APPROVED AND ADOPTED BY THE INDIAN HILLS FIRE PROTECTION DISTRICT BOARD OF DIRECTORS ON THIS 24th DAY OF JUNE, 2015.



Charles S. Kellar
Board President

ATTEST:



Marc Rosenberg
Board Secretary

**COLORADO OPEN RECORDS ACTO (CORA)
REQUEST FOR OPEN RECORDS OF THE
INDIAN HILLS FIRE PROTECTION DISTRICT**

Person Requesting Records:

Name: _____

Address: _____

Phone: _____ Email: _____

Itemize each document or piece of information being requested. Be specific as to Document Title, Dates and District personnel and/or other persons involved in the requested documents and communications.

- 1.
- 2.
- 3.
- 4.
- 5.

Fees Charged for Records Request:

For the research, location and retrieval of document, there will be a \$30.00 per hour charge, with the first hour at no charge.

Copies in standard size and format will be charged at the rate of \$.25 per page. Copies for a format other than a standard page (such as photographs, large maps, printouts) will be charged at the actual cost of production.

A DEPOSIT IN THE AMOUNT OF \$_____ FOR THE ABOVE CHARGES SHALL ACCOMPANY THIS FORM. YOUR REQUEST SHALL NOT BE CONSIDERED RECEIVED UNTIL BOTH FORM AND DEPOSIT HAVE BEEN SUBMITTED.

Please indicate how you would like transmission of the requested records:

_____ Inspect only. The Custodian of Records will contact you to set a time and place during normal office hours for the requested records to be inspected.

_____ Transmitted via: _____ U.S. Priority Mail _____ Email

For Custodian Use Only:

Request (completed form and deposit) received: _____

Requestor notified: Documents ready for inspection/transmission: _____

Requestor notified on _____ that deadline for inspection/transmission is extended to _____.