



For more information please review district policy CN (Public Records) on our website, or contact our Freedom of Information Officer or Custodian of Records.

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USD 417 Morris County

The Kansas Open Records Act

A guide to the rights of the public
and our responsibilities.

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The Kansas Open Records Act (KORA)

KORA begins with the presumption that all public records should be open to the public, but allows certain exemptions from this requirement. Exceptions are included in the law because the legislature has determined the public right to know is outweighed by another important interest. The following list provides examples of the types of records which may be exempt under KORA. Not all exempt records are included in this representative list.

- Records exempted by other law.
- Records that are privileged under the rules of evidence.
- Medical and treatment records.
- Personnel records, except for the name of the employee, position held, salary and length of service.
- The names of donors, if they have requested their name not be released.
- Some emergency or security procedures.
- Sealed bids until one is accepted or all are rejected.
- Correspondences with a private individual.
- Records containing information of a personal nature where disclosure would constitute an unwarranted invasion of privacy.

Your Rights

- To know the procedures for obtaining access to records.
- To examine all records not closed by state or federal laws.
- To examine those records during regular business hours or at set times during the summer for records kept at schools.
- To see those records immediately or be able to see those records within three business days after you request the records if the records are not immediately available.

- To have copies made of non-copyrighted materials for a reasonable fee.
- To have a written explanation if denied access to a record.
- To file suit against us if you believe we are denying you the access to a record you believe you have the right to see.
- To have your attorney's fees paid by us if the court determines we intentionally violated your rights and had no reasonable basis for denying your request.

Our Responsibilities

- To appoint a Freedom of Information Officer to answer questions about the Kansas Open Records Act.
- To make facilities available to you for inspecting records.
- To make copies of records for you for a reasonable fee.
- To adopt procedures for requesting access to records and obtaining copies of those records.
- To act on requests for records promptly or give you a reason for the delay. If there will be a delay, we must give you the earliest time and place the record will be made available.
- To have records custodians available during all regular business hours and have procedures in place to allow access on business days when regular office hours are not maintained by our schools.
- To eliminate non-public material and provide you with the remainder of the record if the record has both public and non-public information.
- To provide you with a written statement, providing you with the specific provision of the law under which we are denying you access if you request an explanation for a denied record. The statement must be provided within three business days.

Obtaining Records

- Records are available for inspection or copying by members of the public at the Central Office during regular business hours: 8 a.m. to 4 p.m., Monday through Friday. Some records may be available for inspection at other locations.
- A request for access to a public record should be directed to the custodian of the record. The custodian of the record may ask that you make the request in writing. Your request should include your name, your address, and a description of the record to which you are seeking access.
- If the record you are seeking falls within the exemption, the custodian may ask you to certify, in writing, why you believe you have a right to access the record. The custodian may also ask for certification that you will not use or sell the information for sales or solicitation purposes.
- If the custodian cannot provide you the record immediately, the custodian will inform you in writing of the time and place at which the record will first be made available to you.
- You cannot remove the record from the building. The custodian will show you a place where you may look at the record. If you desire a copy of the record, please inform the custodian and a copy will be made.
- If the custodian does not grant the request, the person requesting the record shall receive a written explanation of the reason for the denial within three business days of their request, if an explanation is requested. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.

Fees

There are no charges associated with the routine viewing of records at district facilities. However, when records are not readily accessible, or when a request requires staff time to process, fees will be charged to the person making the request. Copying fees are also charged.

B&W Photocopies: \$0.20 per page
Color Photocopies: \$0.50 per page
Mailing: \$0.60 (five pages or less)
Preparation/Search Time: \$25 per hour (billable in ¼ hour increments)

