

KCMH Policies and Procedures			
Orig Date: 5/2/2018		Review Date: 1/1/2021	
Subject: OBTAINING COPIES OF OR ACCESS TO PUBLIC RECORDS PURSUANT TO THE KANSAS OPEN RECORDS ACT- KORA K.S.A. 45-215 ET SEQ.			Page Number:

OFFICE HOURS: 8 A.M. TO 5 P.M., Monday -Friday, except official state holidays

DESIGNATED CUSTODIAN: CEO

FEES: The following rates shall apply. COPIES, 25¢ per 8.5 x 11 page for black and white paper copies, \$0.125 per page for electronic copies; MAILING, 50¢ for first 5 pages, 25¢ for additional 5 page increments for paper copies, electronic copies may be mailed or transmitted electronically and the cost calculated upon the volume; FAX, 65¢ per 10 page fax.

STAFF TIME: Will be charged at the rate of pay of \$37.37 per hour. The time charged may include the time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply and/or to redact open from closed information. **ADDITIONAL FEES:** Any other costs incurred by the agency in connection with complying with a record request may be assessed to the requester. *The agency will provide an estimate of the fees which shall be paid prior to the agency gathering the records. However, in order to assure payment, the final cost of providing access to or furnishing copies must be paid before the records are provided. If the final cost is less than the estimate, the requestor will be reimbursed for the difference. Payment may be made by check or money order. Returned checks will incur an additional fee of \$30.*

WRITTEN REQUEST:

The agency requires that requests for access to or copies of records be made in writing, in order to adequately document the request and clarify exactly what records are being sought. All requests for records shall state the requester's name, mailing address, and a contact phone number. The requester should provide detailed information about the records being requested in order to aid the staff in determining if such records exist and are possessed by the agency. Requests for records not yet in existence or documents to be created prospectively cannot be honored.

RESPONSE TIME:

Upon receipt of a written request for access to or copies of records, the agency will, within three days of receipt of the request, provide a written response to the requestor acknowledging receipt of the request and informing the requestor that following the agency's review of the request the requestor will be contacted informing him/her of the availability of the records requested and an estimate of the fees that would be assessed in fulfilling the request.

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RECORD REVIEW:

Upon receipt of a written request for access to or copies of records, the agency will make an initial assessment of the availability of the records, including whether the records are closed by law, an estimate of staff time necessary to collect and compile the records, fees for copying the records, and any possible fees for mailing the records. The CEO will be responsible for approval of public records request and may waive the fee as appropriate. The agency shall then provide a summary of the assessment and an estimate of the fees that would be assessed in fulfilling the request to the requestor. If the requestor determines he/she wishes to proceed with the request and pays the estimated fees, the agency will proceed with collecting and compiling the requested records. If it appears that additional time will be needed, fees will be assessed, or some of the records may be closed by law, a written response will be provided as soon as the records have been located and reviewed. Prior to copying/faxing/electronically delivering any record the agency will review the record to ensure that record does not include any information which would close the record by law and to redact such information as is required by law.

FAXING AND AIR EXPRESS DELIVERY:

Generally, records may be faxed if the request is for fewer than 15 pages and fax time and facilities are readily available. If air express delivery is requested, the requester shall arrange for pick up and packaging of the records and all associated costs for such delivery shall be paid by the requester. The record custodian has sole discretion as to whether to honor requests for faxing or express delivery.

REQUESTS FOR ELECTRONIC FORMAT RECORDS:

The record custodian will be the sole judge of the ability of the agency to comply with any record requests for the records to be provided in electronic format or for records that must be produced in any special computer generated format.