

### **The Kansas Open Records Act**

The Kansas Open Records Act (K.S.A. 45-215 to 45-250) is a law that permits the public the right to inspect and obtain copies of public records created or maintained by public agencies in Kansas. Public records are defined as “any recorded information, regardless of form or characteristics, which is made, maintained or kept by or is in the possession or any public agency....”

Following is a summary of information regarding the KORA for local offices of K-State Research and Extension.

**The local unit director, or their designee, has the responsibility for forwarding KORA requests to Kansas State University’s designated Records Custodian. Contact information for the custodian and additional information can be found at [www.k-state.edu/policies/ppm/3000/3060.html](http://www.k-state.edu/policies/ppm/3000/3060.html).**

#### **Summary of General Procedures from K-State Policies and Procedures Manual**

1. No original public records shall be removed from the custody of the University without the written permission of the official custodian.
2. Each request for access to public records shall be acted upon as soon as possible, but not later than the end of the third business day following the date the request is received.
  - a. If access to the public record is not granted immediately, the official custodian or her designee shall give a detailed explanation of the cause for further delay and the place and earliest time and date the record will be available for inspection.
  - b. If a request is denied, the official custodian or her designee shall, upon request, provide a written statement of the grounds for the denial and shall cite the specific provision of law under which access is denied. Said written statement shall be furnished to the individual or firm making the request no later than the end of the third business day following the date that the request for the statement was received, unless further clarification from the requester, prepayment, and/or a prohibition against solicitation certification are required.
3. The request for inspection or copying of public records shall be in writing (including submission by facsimile), and the requester shall be required to furnish only his or her name and address, proof of identity, if necessary, and the information needed to ascertain the records desired. When a designated custodian furnishes copies of public records, charges for the service shall be collected in advance.

#### **Summary of Reasons for Denying Access to Public Records**

Records exempted by the Act from mandatory disclosure include:

- Records protected from disclosure by state or federal law;
- Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment (this exemption does not apply to the names, positions, salaries and length of service of University employees);
- Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual;
- Most correspondence between a public agency and a private individual;
- Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under the Kansas Open Meetings Act;
- Public records containing information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

**Source:**

Kansas State University Policies and Procedures Manual, Chapter 3060