REQUESTING A RECORD

- Consult with the agency's Freedom of Information Officer to determine if the record you need exists or is available.

The Freedom of Information Officer for this Agency is the Executive Director of the KS♦CPOST. In the absence of the Executive Director the Investigative Agent on duty may assist the requestor. Contact can be made via telephone at (316) 832-9906 during business hours or mail to:

Executive Director
KS♦CPOST
1900 E. Tigua, Suite B
Kechi, KS 67067

In order to supply timely and accurate information be ready to provide a specific description of the record you seek. Make your request as specific as possible to expedite the process. Include specifics such as names and locations related to the records you are seeking as well as a description of the any activity. Include the date or the date range for the information you are seeking.

You are asked to submit your request for information in writing.

A response concerning a specific record request will be produced within three business days from the time the request is received.

If the request is delayed or denied, you can request a written explanation for the delay or denial within those three days.

Public agencies are not required to provide copies of radio or recording tapes or discs, video tapes or films, pictures, slides, graphics, or illustrations, unless the items were shown or played at a public meeting, but not if copyrighted by someone other than the public agency. [K.S.A. 45-219 (a)].

Reasonable fees will be charged, including the cost of staff time to produce the record. Access may be denied if the request places an unreasonable burden in producing the record or is intended to disrupt the operation of the **KS♦CPOST.**. The requesting person will also be responsible for mailing charges.

An estimate of the fee will be made and provided to the requestor before the request is filled. Pre-payment of any fees will be required.

Inspection of a public record will be allowed by prior arrangement with the Freedom of Information Officer or the Investigative Agent. The general public is not allowed in business areas unescorted and arrangements must be made for office space. Reasonable fees will be assessed for staff time required to make the information available.

Members of the public cannot remove a record without written permission of the custodian of those records.

Kansas State Law prohibits certain uses of the information obtained from the **KS♦CPOST**. The requestor will sign a written certification stating that they will not use the record for commercial purposes (KSA 45-220 (c)(2).

The **KS♦CPOST** will facilitate requests for records which are kept in the normal course of business with the Agency. Requests for open records kept via the operation of administrative day to day business as a State of Kansas Agency will be referred to the State of Kansas.

An agency is only required to provide public records that currently exist. There is no requirement for any agency to create a record due to a request.

The KORA recognizes that some records are not subject to public disclosure. A complete listing of the exemptions is available in K.S.A. 45-221..

If you wish to appeal a denial of access or that you have been wrongly denied information you may contact the Attorney General's Office, the Attorney General's Freedom of Information Officer at 785-296-2215 or the County District Attorney's Office.

This information pertains to laws in put into effect on July 1, 2006.

THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS & TRAINING

ACCESS TO OPEN RECORDS

KS♦CPOST
1900 E. Tigua, Suite B
Kechi, Kansas 67067

Telephone: (316) 832-9906

YOUR RIGHTS

1. To inspect and obtain copies of public records which are not exempted from disclosure by a specific law.
2. To obtain a copy of the agency's policies and procedures for access to records, and to request assistance from the agency's Freedom of Information Officer.
3. To receive a written response to your request within three business days.
   - The response may inform you that it will take additional time to produce the records. Reasons for additional time may include voluminous records, complicated request parameters, unresolved legal issues or difficulty in accessing archived records.
   - The response may deny your request, in whole or in part. If the request is denied, the agency must identify generally the records to be denied, and the specific legal authority for the denial.
4. To bring a private lawsuit or to file a complaint with the Attorney General's Office or the county or district attorney if you feel you are wrongfully denied records.

YOUR RESPONSIBILITIES

- You must request specific records --- written or computerized. The Kansas Open Records Act (KORA) does not require an agency to answer questions about content, or prepare new reports.
- You are required to put your request in writing, and you must provide proof of your identity.
- Reasonable fees, not exceeding actual cost, may be charged for access to records, copies of records, and staff time for processing your request.

WHAT RECORDS ARE AVAILABLE?

Most records maintained by public entities are open for public inspection and copying. Records commonly requested include, but are not limited to:

- Statutes
- Regulations
- Policies
- Minutes/Records of open meetings
- Salaries of public officials
- Agency budget documents
- Previously developed reports of public presentations that may be available.

EXCEPTIONS TO THE OPEN RECORDS ACT

The KORA recognizes that certain records contain private or privileged information. The Act lists several exceptions, including:

- Personnel information of public employees
- Medical treatment records
- Records protected by attorney-client privilege
- Records closed by the rules of evidence
- Records containing personal information compiled for Census purposes
- Notes and preliminary drafts
- Criminal investigation records
- Several other specific types of records.

A list of additional exemptions can be found in K.S.A. 45-221

An agency is only required to provide public records that already exist. There is no requirement for the agency to create a report upon request.

The Kansas Commission on
Peace Officers' Standards & Training