

Requesting Public Records from KU

Exceptions

The Kansas Open Records Act recognizes that certain records contain private or privileged information, and the agency is not required to provide access to those records. The Act lists several exceptions, including but not limited to:

- Records closed by the rules of evidence
- Personnel records of public employees
- Medical treatment records
- Criminal investigation records
- Notes, preliminary drafts, or records in which opinions are expressed or actions are proposed
- Records for which disclosure would constitute a clearly unwarranted invasion of personal privacy
- Proprietary business information
- Records protected by attorney/client privilege
- For the complete list, see [K.S.A. §45-221\(a\)](#).

Records more than 70 years old may be disclosed without regard to the above-listed exemptions, unless exempt under other federal or state law.

Records only partially exempt will have the exempt portions excluded prior to production. Records that would unduly disclose individual identities may be produced if exclusion of identifying portions would prevent identification.

Nothing in the Kansas Open Records Act supersedes federal law, including the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA). While FERPA permits disclosure of student “Directory Information” without student consent, KU’s [Student Records Policy](#) does not define email addresses in bulk as Directory Information; therefore listings of multiple student email addresses are not produced for any purpose. KU also does not produce listings of

student names and addresses for commercial purposes pursuant to [K.S.A. §45-230](#).

Fees

Commensurate with the actual costs in University employee time and resources, fees shall be charged for the retrieval, review, and production of public records. In accordance with [K.S.A. §45-219](#), the following fee rates are established by the agency’s head and may be applied, with payment of total estimated fees required by check or money order in advance of records production:

- Senior manager rate based upon the highly paid employee’s annual salary/hourly pay rate
- Manager rate for retrieval and/or review: \$65/hour
- Staff rate for retrieval and/or assembly to produce: \$33/hour
- Specialized computer retrieval: \$50/hour
- Digital transmission or mailing fee: \$1.50

If the actual cost in time and resources exceeds the fee estimate, the requestor will be billed for the balance of fees incurred, with full payment required before records production. If the actual cost is less than the fee estimate, the requestor will be refunded any difference over \$5.00.

Questions?

If you have questions about KORA, KU’s policies, or seek to resolve a request-related dispute, contact KU’s Freedom of Information Officer:

David Cook
The University of Kansas
1450 Jayhawk Boulevard, 230 Strong Hall
Lawrence, KS 66045-7535
785-864-7100



A Guide to Requesting Public Records from the University of Kansas

Requesting Public Records from KU

The Kansas Open Records Act

The Kansas Open Records Act (KORA) grants you the right to access public records created or maintained by public agencies in Kansas, including the University of Kansas (KU). The Act, [K.S.A. §45-215 et seq.](#), as amended, declares as public policy in Kansas that "public records shall be open for inspection by any person." 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 of any public agency." Records that are owned by a private person or entity and are not related to functions, activities, programs or operations funded by public funds are not public records.

Your rights

You have the right to request assistance from the KU's Freedom of Information Officer at any time. You have the right:

- To inspect and obtain copies of public records that are not exempt from disclosure by a specific law.
- To obtain a copy of the agency's policies and procedures for access to records.
- To receive a written response to your request within three business days after the University's date of receipt. The response may request additional time to determine record existence, availability, and any fees incurred to produce.
- To file a complaint with the Kansas Attorney General if you feel your request for public records is wrongfully denied.

Your responsibilities

Your request may seek only existing records, whether written, photographic, or computerized.

The Act does not require an agency to answer questions or create new documents to tabulate, synthesize or summarize dispersed information. Visual presentations and audio or video recordings are required to be produced only if such items were used in a public meeting of the Kansas Board of Regents or other public body.

KU requires that requests be submitted in writing with the requestor's full contact information (see below). If requested, you must provide proof of identity. If you seek student listings, you may be asked to certify non-commercial intent pursuant to [K.S.A. §45-220\(c\)](#). Commercial intents are declined, as [K.S.A. §45-230](#) prohibits state agencies from the gift or sale of any listing of names and addresses for the purpose of selling or offering for sale any property or service to persons listed therein. KU does not produce student email addresses in bulk for any purpose; see **Exceptions** on reverse side.

Reasonable fees for actual costs in University time and resources must be paid prior to records production. See **Fees** on reverse side. Payment by check or money order should be mailed to the Custodian of Public Records. If the Custodian does not receive payment or further response within sixty (60) days after the date of the estimate, the University will consider the request abandoned.

Requesting a record

Please make your description of the requested records as specific as possible, and include your full contact information:

- Name
- Organization (if requesting on its behalf)
- Mailing address
- Email address
- Daytime telephone number

Requests for records should be mailed or emailed to the KU Custodian of Public Records:

Jen Arbuthnot
Custodian of Public Records
The University of Kansas
1450 Jayhawk Boulevard, 245 Strong Hall
Lawrence, KS 66045
openrecords@ku.edu

Delayed and declined requests

All effort is made to fully respond to your records request as soon as it is received; however, a determinative response may be delayed if:

- Clarification or refined scope is required.
- Legal issues must be resolved before requested records can be produced.
- The records are archived or stored off-site.
- The scope or large volume of requested records requires more time to assess record existence, availability, and any fees incurred to produce.

If further delay is required, the University will provide its explanation and the earliest date by which it expects to provide determinative response.

A request may be declined in whole or in part if:

- The requested records do not exist.
- The requested records are exempt from disclosure by law.
- The request is insufficiently clear in scope.

Permission to access public records may also be declined if the request "places an unreasonable burden in producing public records or the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the public agency." See [K.S.A. 45-218\(e\)](#).