

KORA requires community colleges and schools to adopt procedures for requesting access to or obtaining copies of public records not closed by law. A request for access to the college records should be directed to the custodian of the records. The request shall be in writing with the name and address of the requesting party and information necessary to ascertain the records to which the requester desires access and the requester's right of access to the records.

The college will make every effort to retrieve the record and provide it to you as soon as practical once the application has been received, reviewed and approved.

Access to college records is limited to regular business hours and subject to staff availability.

You cannot remove a public record from the college's office. If you desire a copy of the record, that request shall be made in writing and a fee for copying and staff time will be charged.

The Kansas Open Records Act

*A guide to the
rights of the public
and
the responsibilities of
public educational institutions*

EQUAL OPPORTUNITY

Butler Community College does not discriminate against applicants, employees or students on the basis of race, religion, color, national origin, sex, age, height, weight, marital status, sexual orientation, or other non-merit reasons, or handicap, nor will sexual harassment be tolerated, in its employment practices and/or educational programs or activities. Those concerned about the above should contact Vicki Long, Director of Human Resources, Butler Community College, 901 S Haverhill RD, El Dorado, KS 67042, phone 316-322-3152.

ADA/EQUAL ACCESS

Butler Community College is complying with the Americans with Disabilities Act, and is committed to equal and reasonable access to facilities and programs for all employees, students and visitors. Those with ADA concerns, or who need special accommodations, should contact Teresa Eastman, Director, Disability Services/ADA Compliance Officer, Butler Community College, 901 S Haverhill RD, El Dorado, KS 67042, phone 316-322-3321.



Butler Community College

901 S Haverhill Rd
El Dorado, KS 67042

316.321.2222

www.butlercc.edu

The Kansas Sunshine Laws

Sunshine laws require governments to function in the open, subject to public scrutiny. Kansas has two Sunshine laws:

- The Kansas Open Records Act, known as KORA
- The Kansas Open Meeting Act, known as KOMA

KORA requires most records that are made or kept by public schools or community colleges, as well as other tax-funded entities such as county or municipal governments, to be open to the public. KOMA and KORA are designed to ensure public access to information that forms the basis for public decision making.

Each of the laws make openness the rule, but also recognizes that there are circumstances when individual privacy interests, or competing public interests, override the public right to know.

Private individuals can bring an action in the district court to enforce their rights under KORA. Actions can also be brought by the county attorney, the district attorney, or the Kansas Attorney General. Though community colleges or schools may be fined for intentionally violating KORA, injunctions and other orders to enforce the purposes of KORA are the most common remedies.

Kansas Open Records Act

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

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

Your right to request records

KORA grants the public the following rights:

- To have our Freedom of Information Officer respond to your questions about KORA
- To inspect any public record we have in our possession that is not exempt. We are not required to create a record for you if the record doesn't already exist.
- To have copies of public records, though we can charge reasonable fees for making copies
- To be informed of the procedures you must follow in requesting access to or copies of our records during our regular business hours
- To have access to a record not later than three business days after you request it
- To a written explanation of the reason we are denying you access to a record, if we refuse to allow you access to a record
- To bring an action against us in the district court if you believe we are denying you access to a record you have a right to see
To have your attorney's fees paid by us if the court determines we intentionally violated your rights under KORA, and had no reasonable basis for denying your request.

Our responsibilities

Community colleges and public schools have a number of responsibilities under KORA. We must:

- Appoint a Freedom of Information Officer who can answer your questions and settle disputes under KORA
- Make facilities available to you for inspecting our records
- Allow you to make abstracts or have copies of our records made
- Adopt procedures for requesting access or obtaining copies of our records
- Act upon requests for records as soon as possible, or provide you an explanation of the reason for the delay. If there is a delay, we must tell you the earliest time and place at which the record you're seeking will be made available.
- Have a records custodian available during all regular business hours, and have procedures for allowing access on business days when regular office hours are not maintained
- Redact exempt information and provide you with a remainder of the record, if the record contain both exempt and nonexempt material
Provide you with a written statement which cite the specific provision of the law under which we are denying access, if we deny you access to a record and you ask for an explanation. The statement must be provided within three business days after you request it.

Procedures to follow

Butler Community College Custodian of Records/ Freedom of Information Officer

Kent Williams
Vice President for Finance
316-322-3103

In the event that the Vice President for Finance is not available KORA requests should be directed to the Secretary to the Vice President for Finance or the Director of Accounting.