

**CORA - Exceptions, Exemptions, & Extensions**

<p><b>Correspondence:</b> CORA excludes the correspondence of elected officials from the definition of "public records" to the extent that such correspondence is:</p> <ul style="list-style-type: none"> <li>● Work product;</li> <li>● Without a demonstrable connection to the exercise of functions required or authorized by law or administrative rule and does not involve the receipt or expenditure of public funds;</li> <li>● A communication from a constituent to an elected official that clearly implies by its nature or content that the constituent expects that it is confidential or a communication from the elected official in response to such a communication from a constituent; or</li> <li>● Not subject to disclosure because:</li> </ul>	<p><b>Excluded from the definition of "public records":</b> CORA specifically excludes the following:</p> <ul style="list-style-type: none"> <li>● Criminal justice records covered by section 24-72-301, <i>et seq.</i>;</li> <li>● Work product prepared for elected officials, except for work product released by elected officials;</li> <li>● Data, information, and records relating to CollegeInvest programs;</li> <li>● Confidential materials received, made, or kept by a crime victim compensation board or a district attorney;</li> <li>● Notification of a possible nonaccidental fire loss or fraudulent insurance act;</li> <li>● Certain records of institutions, institutionally related foundations, institutionally related health care foundations, and institutionally related real estate foundations;</li> <li>● The information security plan of a public agency, the department of higher education, or an institution of higher education;</li> <li>● Information security incident reports; or</li> <li>● Information security audit and assessment reports. (Section 24-72-301 (a)(b), (c), &amp; (d))</li> </ul>	<p><b>Exceptions to Inspection - Custodian's Discretion:</b> The custodian of records may deny inspection of the following public records, on the ground that disclosure would be contrary to the public interest:</p> <ul style="list-style-type: none"> <li>● Law enforcement investigations, intelligence information, or security procedures;</li> <li>● Test questions and examination data related to licensing, employment, or academic examinations;</li> <li>● Specific details of bona fide research projects by state institutions;</li> <li>● Real estate appraisals for the state or a political subdivision until title to the property passes;</li> <li>● Records related to the Colorado department of transportation's bid analysis and management system;</li> <li>● State department of revenue records identifying persons;</li> <li>● E-mail addresses provided by persons for the purpose of future electronic communications to the person from the agency, institution, or political subdivision; and</li> <li>● Certain records relating to security arrangements or investigations. (Section 24-72-301 (a)(c), (d), &amp; (e))</li> </ul>	<p><b>Exceptions to Inspection - Mandatory:</b> CORA requires that the custodian shall deny inspection of several categories of public records, other than to the person in interest, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>● Personnel files, except "applications and performance ratings"; "Personal Files" means and includes home addresses, telephone numbers, financial information, and other information maintained because of the employer-employee relationship, and other documents specifically exempt from disclosure by law;</li> <li>● Letters of reference;</li> <li>● Trade secrets, privileged information, and confidential commercial, financial data. This includes public records covered by the traditional attorney-client and work product privileges;</li> <li>● Records of sexual harassment complaints and investigations, with certain exceptions;</li> <li>● Records protected under the common law governmental or "deliberative process" privilege if the material is so candid or personal that public disclosure is likely to stifle honest and frank discussion within the government, unless the privilege has been waived;</li> <li>● All proprietary information submitted by a provider of broadband service. (Section 24-72-301 (a)(f), (g), &amp; (h))</li> </ul>	<p><b>Records available for inspection in 3 working days or less unless 7 day extension applies for extenuating circumstances, which includes the following:</b></p> <ul style="list-style-type: none"> <li>● A broadly stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the 3-day period; or</li> <li>● A broadly stated request is made that encompasses all or substantially all of a large category of records and the agency is unable to provide the records within the 3-day period because:             <ul style="list-style-type: none"> <li>● The agency needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is either unique or not predicted to occur more frequently than once a month; or</li> <li>● In the case of the general assembly or its staff or service agencies, the general assembly is in session; or</li> </ul> </li> <li>● A request involves such a large volume of records that the custodian cannot reasonably provide the records within the 3-day period without substantially interfering with the custodian's obligation to perform other public service responsibilities.</li> </ul>
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