



OPEN RECORDS POLICY BROCHURE

Pursuant to the Kansas Open Records Act
K.S.A. 45-215 *et seq.*

It is the official policy of the Kansas Board of Cosmetology (KBOC) that public records maintained by the KBOC be accessible to the public in accordance with the Kansas Open Records Act, K.S.A. 45-215, *et seq.* Access to public records will be provided timely, with due regard for the privacy of individuals licensed by the KBOC, and with due regard for preserving the records maintained by the KBOC and preventing excessive disruption of the agency's essential functions.

YOUR RIGHTS AND RESPONSIBILITIES UNDER KORA

It is your right to:

- Inspect and obtain copies of public records which are not exempted from disclosure by specific law.
- Obtain a copy of the agency's policies and procedures for access to records, and to request assistance from the KBOC's Freedom of Information Officer.
- Expect to receive a written response to your request within three business days after receipt of the request.
- Bring a private lawsuit in district court or file a complaint with the Office of the Kansas Attorney General or the County or District Attorney if you feel you are wrongly denied records that you have a right to access.

It is your responsibility to:

- Request identifiable records. KORA does not require an agency to provide information, answer questions or create records.
- Put your request in writing and include the name, mailing address and phone number of the person requesting the record. See attached Open Records Request Form for assistance.
- Pay the reasonable fees, not exceeding the actual cost, before the agency processes the request or provides access to the requested records.

KBOC'S RESPONSIBILITIES

We must:

- Adopt procedures to be followed in request access to and obtaining copies of public records.
- Appoint a Freedom of Information Officer who can answer your questions and settle disputes under KORA.
- We must have a records custodian available during all regular business hours and have procedures for allowing access on those business days when regular office hours are not maintained
- Make facilities available to you for inspecting our records.
- Allow you to make abstracts or to have copies of our records.
- Redact the exempt information and provide you with the remainder of the record if a document partially contains exempt information.
- Provide you with a written statement citing the specific provisions of the law under which we are denying access if you so request. For a list of exempt records under the KORA, see K.S.A. 45-221. Note that other state and federal statutes may also restrict access to certain records.
- Act upon requests for documents within three business days of receipt of the request or give you an explanation of the reason for delay.



REQUESTING A RECORD

Office Hours

8:00 a.m. to 4:30 p.m., Monday - Friday, except official state holidays. Requests received after 5:00 p.m. will not be logged in and processed until the next business day.

Records Custodian

Official Records Custodian:

Laura Gloeckner, Executive Director, KBOC
Kansas Board of Cosmetology
714 SW Jackson, Suite 100
Topeka, Kansas 66603-3751
Phone: (785) 230-3125
Fax: (785) 296-3002
Email: laura.gloeckner@ks.gov
Subject line: "Open Records Request"

Designated Agency Records Custodian/Freedom of Information Officer:

Aubrie Pryer, Assistant Director, KBOC
Kansas Board of Cosmetology
714 SW Jackson, Suite 100
Topeka, Kansas 66603-3751
Phone: (785) 289-7303
Fax: (785) 296-3002
Email: aubrie.pryer@ks.gov
Subject line: "Open Records Request"

Written Request

To assure that the request is clearly understood, the agency requires requests for access to or copies of records be made in writing. All requests for records must state:

- The requestor's name. Note that KBOC may require proof of identity of any person requesting access to a public record.
- Mailing address and email address
- A phone number where the requestor can be contacted, and
- Detailed information about the records being requested. This will help staff in determining if the requested records exist and are in the agency's possession. Requests for records not yet in existence or documents to be created prospectively cannot be honored.
- The attached Open Records Request Form contains the information the Kansas Board of Cosmetology requires. You may use it to submit a request to the Board. This form is not required to be used.

Advance Payment of Fees Required

The agency will provide the requestor with an estimate of the fees before gathering and processing or providing access to the records. The estimated fees MUST be paid BEFORE the agency processes the request or provides access to the requested records. While we do our best to provide an accurate estimate of the fee, it is possible that the records can be produced for less than the estimated amount. If so, any additional amounts will be refunded. However, it is also possible that we will discover the estimated fee is low once the actual processing work is started. If we discover that the estimated fee is too low, we will promptly advise the requestor any correction to the fee, and request advance payment of any additional costs before continuing the work. Payment may be made by check or money order payable to the Kansas Board of Cosmetology. Returned checks will incur an additional fee of \$30.00.



Fees

The following rates shall apply:

Paper Copies

- \$.25 per page
- Shipping and postage – determined on case by case basis

Faxes

- \$.25 Local
- \$.50 Long Distance
- Electronic Delivery – No charge

Pre-generated Lists

- No charge for lists or information generally available to the public.
- No charge for lists that are pre-generated and readily available to the agency without any research or preparation.

Compilation Lists

- \$20.00 charge for list search compilation

Research and Preparation

\$20.00 per hour

- This service includes research into individual records, redacting, summarizing documentation, or copying documentation.
- Time will be charged at the rate of pay for each person(s) whose time is used in order to assist and/or respond to a specific request. This may include the time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply and/or to redact open from closed information.
- Copying fees will be charged for documents that require redacting.

Additional fees, including any other costs incurred by the agency in connection with complying with a record request may be assessed to the requestor.

Requests For Electronic Format Records

The official records custodian or the designated agency records custodian will be the sole judge of the ability of the agency to comply with any request for the records to be provided in electronic format or for records that must be produced in any special computer generated format.

Faxing and Air Express Delivery

Generally, records may be faxed if the request is for fewer than 15 pages and fax time and facilities are readily available. If air express delivery is requested, the requestor MUST arrange for pick up and packaging of the records; all associated costs for such delivery MUST be paid by the requestor. The official records custodian or the designated agency records custodian has sole discretion as to whether to honor requests for faxing or express delivery.

RESPONSE TIME

The agency will act upon requests as soon as possible, with some response being made to the requestor no later than the third business day following the receipt of the request. If it appears that additional time will be needed, fees will be assessed, or some of the records may be closed by law, a written response will be provided as soon as the records have been located and reviewed.

This brochure pertains to laws in effect as of July 1, 2015. Persons with disabilities may contact the Public Information Officer at (785) 296-4414 or the Kansas Relay Center at 1-800-766-3777 for copies of this information in an accessible format.



OPEN RECORDS REQUEST FORM

Pursuant to the Kansas Open Records Act - K.S.A. 45-215 et seq.

This form is being provided to potential requesters as a helpful guide for composing an effective request for public records. Requestors should not consider this form to be mandatory.

Attention:
Official Records Custodian or the Designated Agency Records Custodian
Kansas Board of Cosmetology
714 SW Jackson, Suite 100
Topeka, Kansas 66603-3751
Fax: (785) 296-3002 Email: kboc@ks.gov

Under the Kansas Open Records Act (KORA) K.S.A. 45-215 et seq., I request access to or copies of the following records (please be as specific as possible in describing the records you want and the time period your request covers; attach additional pages if necessary).

[Empty box for request details]

Record Format

I request the information be provided in the following format if possible (please check one): [] Paper [] Electronic

Requester's Information

Name: _____ Daytime Phone No.: _____

Address: _____
Street Address City State Zip Code

Email Address: _____

In accordance with K.S.A. 45-220(c)*, I certify that I do not intend to, and will not:

(A) Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or

(B) sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.

Signature Required

*Note: You may locate and review a copy of this statute by using the following link:
http://www.ksrevisor.org/statutes/chapters/ch45/045_002_0020.html