

COLORADO STATE UNIVERSITY FOUNDATION, INC.

OPEN RECORDS POLICY AND PROCEDURES

POLICY

The Colorado State University Foundation (the “Foundation”) is an “institutionally related foundation” as defined by the Colorado Open Records Act, CRS §24-72-200.1 *et seq.* (“CORA”) organized for the benefit of Colorado State University (the “University”).

Pursuant to CORA, the following are “public records” and will be made available for public inspection:

All writings relating to requests for disbursement or expenditure of funds, the approval or denial of requests for disbursement or expenditure of funds, by the Foundation to, on behalf of, or for the benefit of the University or any employee of the University.

Other information held by the Foundation is not deemed to be “public records” and is not subject to inspection under CORA. Specifically, the Foundation will not disclose the following information, as it is not deemed to be “public records” under CORA:

1. The identity of, or records or information identifying or leading to the identification of, any donor or prospective donor;
2. The amount of any actual or prospective gift or donation from a donor or prospective donor;
3. Proprietary fundraising information of the University or the Foundation;
4. Agreements or other documents relating to gifts or donations or prospective gifts or donations to the University or the Foundation from a donor or prospective donor;
5. Any other information not related to the disbursement or expenditure of funds, or the approval or denial of request for disbursement or expenditure of funds to, on behalf of, or for the benefit of the University or any employee of the University.

PROCEDURE

1. Any request for inspection of public records shall be made in writing to the designated custodian for the Foundation. The Foundation’s designated custodian is the President/CEO (“Custodian”). Written requests shall be submitted to: President/CEO, Colorado State University Foundation, 410 University Services Center, Fort Collins, Colorado 80523-9100 or delivered in person to the Foundation’s office at 601 South Howes Street, Suite 410, Fort Collins, Colorado. Records requested must be identified with as much specificity as possible. A general search of Foundation files for unspecified documents is not permitted.
2. Pursuant to CORA, public records include writings made or maintained by the Foundation regardless of the format or medium of the records, expressly including email communications, which meet the criteria set forth above. This may include information kept only in electronic

format, and if a public record subject to disclosure is kept only in electronic format the Foundation will make sure that it is accessible to the extent required by law.

3. The Foundation may set a time during normal office hours for records to be inspected, may require that a Foundation representative be present while the records are examined, and may make other rules regarding inspection of records as is reasonable and necessary to preserve the integrity of the records. Public records shall be available for examination at the Foundation's office at 601 South Howes Street, Suite 410, Fort Collins, Colorado.
4. Pursuant to CORA, public records must be made available for inspection within three working days, beginning on the first business day after the request is received by the Foundation. This deadline may be extended by up to seven working days if extenuating circumstances exist and the requesting party is notified of the extension within the three-day period. Extenuating circumstances permitted by CORA include only the following:
 - a. The request is broadly stated and encompasses all or substantially all of a large category of records and is without sufficient specificity to allow the custodian to gather the records within the three-day period; or
 - b. The request is broadly stated and encompasses all or substantially all of a large category of records and is made at a time when the Foundation needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is unique; or
 - c. The request involves such a large volume of records that the Foundation cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the Foundation's obligations to perform its other public service responsibilities.

Extenuating circumstances cannot apply to a request that relates to a single, specifically identified document.

5. A person granted the right to inspect public records held by the Foundation can request copies at a cost of \$0.25 per page copied or actual costs if higher. Additionally, in those cases where the location of specific documents must be researched and the documents must be retrieved, sorted, or reviewed for applicability to the request, the Foundation may charge a reasonable research and retrieval fee, typically \$20 per hour. If charges are expected to exceed \$20, or if a retrieval fee based on the actual cost of responding is to be charged, the Foundation will provide the requestor with an estimate of the costs and deposits in writing. By responding in writing, the requestor agrees to pay all fees associated with responding to the request. The time between the date of the Foundation's estimate and the receipt by the Foundation of a written request to proceed will not be counted against the time period for responding as set forth above. The Foundation retains the right to waive these fees in particular circumstances. The Custodian shall be consulted if such a waiver is requested. The Foundation reserves the right to require an advance deposit before copies are made in the case of voluminous requests.
6. If it is determined that requested records are not subject to public inspection under CORA, the Custodian shall notify the party requesting records in writing and state the reason for such denial within the three-day period.