



KANSAS OPEN RECORDS ACT (KORA)

IT IS THE KANSAS NATIONAL GUARD'S RESPONSIBILITY TO:

1. Appoint a Freedom of Information Officer (FOIO) to assist in resolving issues related to KORA requests.
2. Act on record requests within three business days following their receipt and to provide the requestor notice if additional time will be required to locate or compile requested records.
3. Estimate the charge for providing requested records and obtain advance payment prior to fulfilling the request.
4. Redact personal information from an otherwise public record before releasing it, and/or protect from disclosure records covered by KORA exceptions.
5. Determine the format (paper, electronic or other media) in which a record will be produced if the record is maintained in an electronic database and/or contains some information that may need to be redacted prior to release.
6. Refuse a record request if it places an unreasonable burden on the agency.

IT IS YOUR RIGHT TO:

1. Inspect or request copies of public records retained by the Kansas National Guard, which are not exempt from disclosure by a specific law, during the Kansas National Guard's regular business hours.
2. Be provided an estimate or statement of the reasonable costs the Kansas National Guard will charge to provide requested records, prior to charges being incurred.
3. Receive the records you request, or at least a response to your request, within three business days after it is received by the Kansas National Guard.
 - A. The response may inform you that it will take additional time to produce the records. Reasons for additional time may include voluminous records, complicated request parameters, unresolved legal issues, or difficulty in accessing archived records.
4. File a complaint with the Kansas Attorney General's Office if you feel you are wrongly denied records.

AVAILABLE RECORDS

Most records maintained by public entities are open for public inspection and copying. Records commonly requested include, but are not limited to:

- Statutes
- Regulations
- Policies
- Minutes/Records of open meetings
- Salaries of public officials
- Agency budget documents

HOW TO OBTAIN OPEN RECORDS:

1. Record requests must be in writing and may be sent via email to Jane Welch, Public Affairs Officer, at jane.e.welch1.nfg@army.mil.
2. You should identify the record(s) you seek with as much specificity as possible. The Kansas National Guard has no obligation to create a record that does not already exist. Also, pursuant to our record retention schedule, a record that previously existed may have since been destroyed, and the Kansas National Guard is not required by law to recreate it.

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Kansas National Guard



The Adjutant General's Dept.

5920 SE Coyote Drive

Bldg. 2005, Room 229

Topeka KS 66619

785-646-0092 Fax: 785-646-0099

jane.e.welch1.nfg@army.mil

PROHIBITED USES:

K.S.A. 45-230 prohibits the use of names and addresses derived from public records for certain commercial purposes. Violation of this law can result in a civil penalty of as much as \$500 per incident.

FOR ADDITIONAL INFORMATION:

A complete copy of the KORA may be found at <http://www.kslegislature.org>, then click Statutes. The KORA begins at K.S.A. 45-215.

The Kansas Attorney General's Office maintains an outline regarding KORA, as well as frequently asked questions on the Act, on its website, at www.ksag.org.

COMMON EXCEPTIONS:

The Kansas Open Records Act recognizes that certain records contain private or privileged information. A list of additional exemptions can be found in K.S.A 45-221. An agency is only required to provide public records that already exist. There is no requirement for the agency to create a record upon request. The act lists several exceptions, including:

- Personnel information of public employees
- Medical treatment records
- Records protected by attorney/client privilege
- Records closed by the rules of evidence
- Records containing personal information compiled for census purposes
- Notes and preliminary drafts
- Criminal investigation records
- Several other specific types of records as outlined