

Kansas Open Records Guide



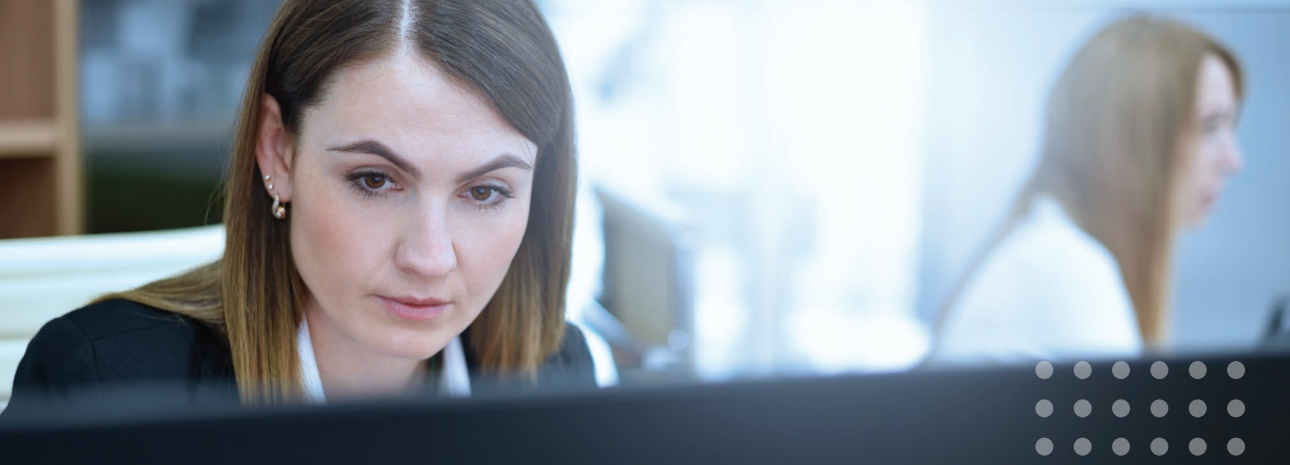
Kansas Open Records Act

The Kansas Open Records Act (KORA) allows for public inspection and copying of some records maintained by public entities.

Under the KORA It Is the City of Wichita's Responsibility To:

- Appoint a Freedom of Information Officer (FOIO) to assist in resolving issues related to KORA requests.
- Act on record requests within three business days following their receipt and:
 - Provide the requested records.
 - Provide the requestor notice if additional time will be required to locate or compile requested records.
 - State why the records cannot be provided.
- Estimate the cost for providing requested records and obtain advance payment prior to fulfilling the request.
- Redact personal information from an otherwise public record before releasing it, and/or protect from disclosure records covered by KORA exceptions.
- 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.
- Refuse a record request if it places an unreasonable burden on the City.





Under the KORA It Is Your Right To:

- Inspect or request copies of public records retained by the City, which are not exempt from disclosure by a specific law, during the City's regular business hours, normally 8 a.m. to 5 p.m.
- Be provided an estimate or invoice of the reasonable costs the City will charge to provide requested records, prior to charges being incurred.
- Receive the records you request, or at least a response to your request, within three business days after it is received by the City.
- File a complaint with the Kansas Attorney General's Office if you feel you are wrongly denied records.

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.

How to Obtain Open Records

- It may help to contact the City's Freedom of Information Officer to find out if the record you want is available.
- Record requests must be in writing. Make sure you describe what you want in specific terms, including a date range if applicable. KORA allows the City to ask your name and address.
- Requests can be submitted by mail, email, online at cityofwichitaks.nextrequest.com, or in person at City Hall.
- The City has no obligation to create a record that does not already exist or recreate a record that has been destroyed.
- Your request may be denied in whole or in part. If the City denies, it must specify the records denied and cite the legal basis for denial. Any denial will be made upon advice of legal counsel.

Common Exceptions to the Kansas Open Records Act

Various provisions of State and Federal law require that certain public records, or portions, remain "closed." The KORA (KSA 45-221) lists about 50 categories of records that may be closed, including:

- Criminal investigation records, including:
 - Information that would reveal the identity of any undercover agent or informant.
 - Records that would reveal the identity of the victim of any sex offense.
 - Standard arrest reports.
 - Records of a Child in Need of Care and some Juvenile Offender records.
- Most Personnel records of City employees.
- Correspondence with individual citizens.
- Medical treatment records of individuals
- Social Security numbers, account numbers, and other private information.
- Records protected by attorney-client privilege and/or rules of evidence.
- Competitive purchasing process records prior to acceptance of a bid or proposal.
- Notes and preliminary drafts.
- Records containing information of a personal nature.

For Additional Information

- A complete copy of the KORA may be found at kslegislature.org/li/b2021_22/statute/045_000_0000_chapter/.
- The Kansas Attorney General's Office maintains an outline regarding KORA, as well as frequently asked questions on the Act, on its website, at ag.ks.gov/open-government.

Contact Information

For more information contact the
City Clerk's Office at **316.268.4529**
or visit **wichita.gov/CityClerk**.

City Clerk's Office • City Hall
455 N. Main • 13th Floor
Wichita, KS 67202



→ wichita.gov

